This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

**Usage guidelines**

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

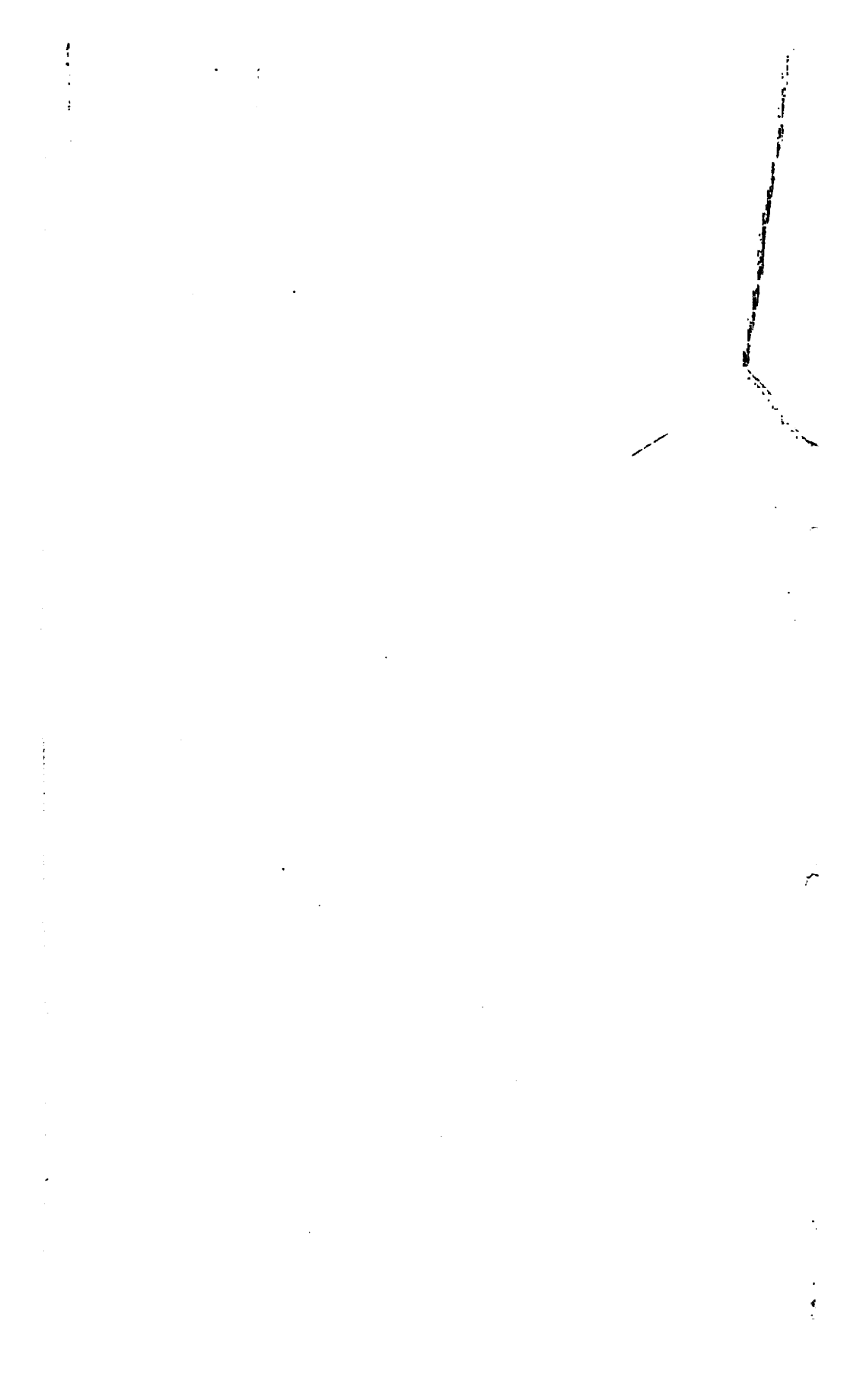
+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

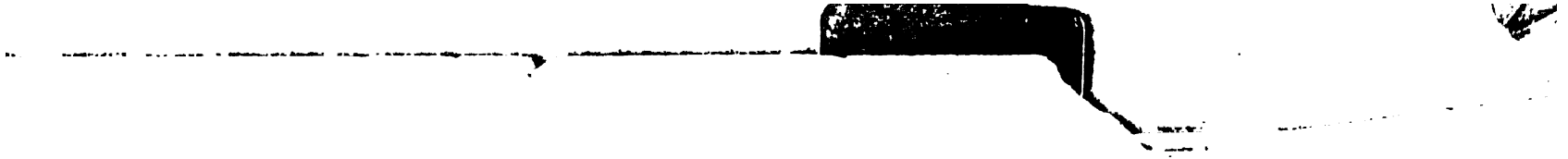
**About Google Book Search**

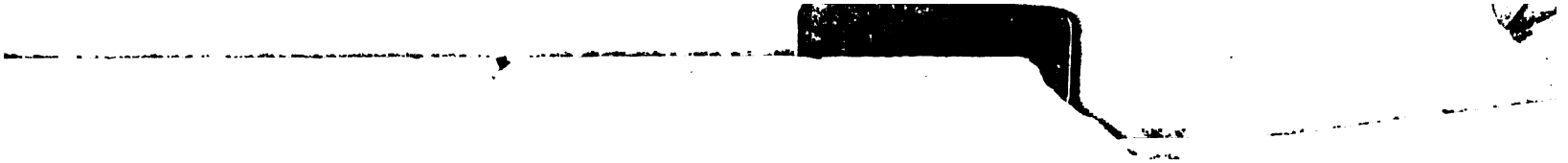
Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

15/B

George Bancroft







# MEMOIRS

OF

# JOHN QUINCY ADAMS,

COMPRISING PORTIONS OF

## HIS DIARY FROM 1795 TO 1848.

EDITED BY

CHARLES FRANCIS ADAMS.

---

VOL. IV.

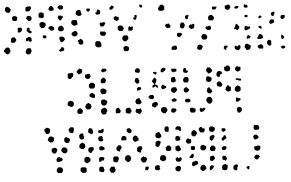
---

PHILADELPHIA:
J. B. LIPPINCOTT & CO.
1875.

Entered according to Act of Congress, in the year 1874, by

J. B. LIPPINCOTT & CO.,

In the Office of the Librarian of Congress at Washington.



# TABLE OF CONTENTS.

## CHAPTER XII.

PAGE

THE DEPARTMENT OF STATE—FIRST TERM . . . . . 3-533

# MEMOIRS

OF

# JOHN QUINCY ADAMS.

VOL. IV.—1

# MEMOIRS OF JOHN QUINCY ADAMS.

## CHAPTER XII.

### THE DEPARTMENT OF STATE—FIRST TERM.

NEW YORK, *August* 6th, 1817.—Immediately after daylight this morning the ship was within three miles of the highlands of Neversink, and the new Sandy Hook light-house in full sight, as well as the two old ones; all the lights were still burning. The morning was fine, and almost all the passengers soon came upon deck. The sun rose clear, and Venus was visible more than a quarter of an hour after she had risen; air and water both at 67. There were a number of vessels in sight, and among the rest a pilot-boat schooner, from which a pilot, named Bird, came on board at six. We had a fair and light breeze, which took us up to the wharf at New York, where we landed at one in the afternoon, immediately from the ship. The approach to New York was slow, and the termination of the voyage as agreeable as could be wished. The sentiments with which, after an absence of eight full and eventful years, I touched once more my native land were of a mingled nature: of the deepest gratitude to the Supreme Disposer for all the enjoyments and preservations of that long period, and particularly for the safe and happy close of the voyage just completed, together with an anxious forecast of the cares and perils of the new scene upon which I am about to enter. The latter of these feelings was greater and more oppressive than it had ever been on returning to my country heretofore. So keen, indeed, was the emotion

of contemplating the probabilities of the future time, that nothing but a firm reliance upon Him who has ever been my preserver, and the dispenser of every blessing, supported me from despondency.

7th. We had a continual succession of visitors the whole day and evening, scarcely allowing an interval for dinner, and principally of persons with whom we were unacquainted. In the evening, Mr. Astor, Mr. Colden, and Mr. came as a committee from a meeting of gentlemen, and invited me to a public dinner, asking me to fix the day. I accepted the invitation for next Monday.

11th. At four o'clock, Mr. Astor and General Morris, Marshal of the district, came from the Committee of Arrangements, and I went with them to the public dinner at Tammany Hall. There were about one hundred persons present, most of whom were introduced to me—among them Governor De Witt Clinton. He told me that Mr. Rush had written to him for information relative to weights and measures in this State, and he would send me a work of Olinthus Gregory upon the general subject. The person presiding at the dinner was General Clarkson. The Mayor, Mr. Ratcliff, invited me to dine with him and the City Corporation to-morrow, at Bellevue, six miles out of the city. I came home about nine in the evening.

14th. Called on Mr. Trumbull, and found him with the frame for his large picture of the Declaration of Independence, upon which he is just preparing to begin. He accompanied me, first to the City Hall, where I visited Governor Clinton, and afterwards to the Academy of Arts, the Historical Society, the Cabinet of Natural History, and the Museum. On returning, I met Judge B. Livingston, in Broadway. Went with my wife on board the ship Washington, and took our final leave of her. I settled with Captain Forman for the freight of our baggage and effects from London to New York. Left them transhipping to the sloop Margaret, Captain Hughes, for Washington. After sitting to Shiel till dusk, I went to the wharf at the end of Fulton Street, to enquire for a passage in the steamboat Connecticut for New Haven. They told me it was needless to engage a passage, and only necessary to be on board at seven in the

morning, at which time, on Mondays, Wednesdays, and Fridays, the Connecticut leaves the wharf. She arrives at New Haven at five or six in the afternoon on the same days. The Fulton steamboat is at the same time going from New London to New Haven. The passengers pass from one boat to the other. The Fulton immediately departs for New London, where she arrives the next morning at five or six. A line of stages is in attendance at New London, to take the passengers immediately through Providence on to Boston, where they arrive before midnight the same day, making a complete passage from New York to Boston in forty hours.

15th. IV. By some negligence of mine, which I should think inexcusable in another, I mistook the hour of the morning, as indicated by my watch, and after rising thus early, instead of rousing the rest of the family and packing up with all possible expedition, I sat down to write at this journal, and continued thus employed till the boys came knocking at the door, and announcing that it was close upon seven o'clock. We then made what dispatch we could, but the clock struck seven before we left Mrs. Bradish's house, and just as we came to Fulton Street, Captain Forman met us, and informed us that the steamboat had been about five minutes gone. For the next opportunity by the steamboat we must have waited until Monday. I therefore went immediately to Crane wharf, and found the packet Fame, Captain Gardiner, bound to Newport and Providence, and prepared to sail at five o'clock this afternoon. We embarked about four in the afternoon at Crane wharf, with a fair and fresh breeze, which scarcely lasted us till we reached Hell-gate. We passed through this passage with a calm, and reached the entrance of the Sound at Sands's Point about nine in the evening. The heat of the sun was almost insupportable.

QUINCY, 18th.—I had engaged the stage to come directly to this place, without going into Boston. We left Walpole at seven o'clock, and, after stopping at Dedham to change horses, arrived here between ten and eleven, and had the inexpressible happiness of finding my dear and venerable father and mother in perfect health.

19th. Immediately after dinner, Commodore Hull came, with Edward Wyer, who is going as Consul to Hamburg, then Joseph Hall, soon followed by W. Gray, Arnold Welles, and G. Blake, who came to invite me from citizens of Boston to a public dinner next Friday. They also invited my father, my brother, and my son.

BOSTON, 22d.—This morning I took a walk with Mr. Foster round the town, and witnessed with delight its great increase and improvements during the eight years of my absence from it. The Central Wharf, New Cornhill, and Common Street are three great masses of buildings erected within that time, and there are so many others of less extent, but contributing equally to the elegance and comfort of the place, that they compose scarcely less than half the town. The only alteration which I perceived with regret was the demolition of Beacon Hill. I went with Joseph Hall to the State House, and paid a visit to Governor Brooks. Hall intimated that the committee for arranging the toasts had some thoughts of toasting me by name at the public dinner, with the expectation of my answering the toast by a speech, according to the English fashion. I entreated him, however, to dissuade them from it, disapproving as I do the practice itself, and feeling the danger and inconvenience and impropriety there would be in speech-making at public dinners for a person in the station that I am to assume. Hall was fully satisfied with the reasons I gave, and promised to take care that the arrangements should be made accordingly.

26th. My father accompanied me at three o'clock to the Exchange Coffee House, where the public dinner was provided. It was attended by about two hundred persons, the greater part of them my old friends and acquaintance. Mr. William Gray presided; and Governors Brooks and Phillips, Chief-Justice Parker, and Judge Story, Generals Dearborn, father and son, and Humphreys, and Miller, President Kirkland, Dr. Freeman, Captain Hull, and some others, were present as guests. It was near five when we sat down to table, and between eight and nine I retired with my father, who took my sons out with him to Quincy.

*Day.* The sailor's life of our voyage from England terminated

by our landing at New York on the 6th instant. Since then, excepting the short voyage and journey from thence, we have been engaged in a continual round of dissipation, by the greetings and kind reception of our friends. I can never be sufficiently grateful to Divine Providence for the happy circumstances which attended my return to my country, nor can I yet, under the painful anticipations of the future, abandon the trust upon which I have never relied in vain. But, as a first sacrifice, this journal must henceforth be given up or reduced to short and insignificant minutes of the daily occurrences, and my most earnest prayer to God is, that if my powers of usefulness and active industry are taken from me, I may be seasonably sensible of, and humbly resigned to, my condition, or removed from this earthly scene before the effects of my incapacity have been felt in the councils and affairs of my country.

WASHINGTON, *September* 20th.—We departed from the Indian Queen Tavern, Baltimore, at six o'clock this morning in the stage, with three fellow-travellers unknown to us. Breakfasted at McCoy's, formerly Spurrier's, twelve miles from Baltimore, and arrived in Washington City at four in the afternoon. I then went to Mr. Rush's lodgings at O'Neal's Tavern, but he was not there. Mr. Rush had already been to find me. He soon after came, and requested me to go with him to the President's, which I did. The President, James Monroe, returned last Wednesday from a tour of nearly four months to the eastern and western parts of the United States. He is in the President's House, which is so far restored from the effects of the British visit in 1814 that it is now for the first time again habitable. But he is apprehensive of the effects of the fresh painting and plastering, and very desirous of visiting his family at his seat in Virginia. He is therefore going again to leave the city in two or three days, but said his absence would only be for a short time. He told me that Mr. Rush was to be my successor at the Court of Great Britain, and directed me to make out instructions for him. He also entered largely upon the motives of the mission which he had contemplated sending to South America, which has, however, failed for the present, and upon which, he said, he should converse further with me before his

departure. After some general conversation upon the state of the public relations with Great Britain, Spain, and France, I left him. Mr. Rush gave me some account of the present situation of the Department of State, a subject to be hereafter resumed.

21st. v. 30. *Sunday.*

O God, my only trust was thou
  Through all life's scenes before:
Lo, at thy throne again I bow,
  New mercies to implore.

Thy aid, O Father, wilt thou lend?
  My thoughts wilt thou inspire?
My heart to do thy pleasure bend?
  My breast to virtue fire?

Thy gracious wisdom to fulfil
  My constant aim incline,
Grant for my feeble, faltering will
  Th' unerring strength of thine.

Grant active powers, grant fervid zeal,
  And guide by thy control,
And ever be my country's weal
  The purpose of my soul.

Thine be the purpose, thine the deed,
  Which thou alone canst bless.
From thee all perfect gifts proceed,
  Oh, crown them with success.

Extend, all-seeing God, thy hand,
  In mercy still decree,
And make to bless my native land
  An instrument of me.

From the information given me by Boyd, the path before me is beset with thorns, and it becomes more doubtful than ever whether I shall be able to continue long in it. At two distinct periods of my life heretofore my position has been perilous and full of anxious forecast, but never so critical and precarious as at this time.

22d. Mr. Rush called upon me this morning immediately after breakfast, and accompanied me to the office of the Depart-

ment of State, where the official oath, faithfully to execute the trust committed to me, prescribed by the Act of Congress establishing the Department of Foreign Affairs, and the oath to support the Constitution of the United States, were administered to me by Robert Brent, a justice of the peace for the District of Columbia. The appointment of Chief Clerk in the Department has been vacant since the 4th of March, by the resignation of Mr. Graham. But the temporary appointment had been made of Daniel Brent, who has been many years in the office, and who was strongly recommended by the President and Mr. Rush. The other clerks in the office were introduced to me, and I confirmed them all in their respective offices. I gave Brent the appointment of Chief Clerk. There were a multitude of letters and dispatches, which have been lying for me some time on the table of the office; and the mail of the day brought many others. I had not time to read them all. I received from Mr. Rush and Mr. Brent some information with regard to the transaction of business at the office. Brent says it is much in arrear, but without any accumulation of it since Mr. Rush has been at the head of the Department. The office hours are from nine in the morning to three in the afternoon. Mr. Rush mentioned to me several affairs upon which the President, who has left town this morning for Virginia, desired me to proceed immediately to business.

23d. IV. 30. Began the morning by making a draft of a letter to Hyde de Neuville, in answer to a communication from him to the Department of State concerning a project for invading Mexico from the United States, and declaring Joseph Bonaparte King of Spain and the Indies. B. Homans, Chief Clerk in the Navy Department, called on me, and walked part of the way with me to the office, where I was from ten to three. Many visitors at the office, and chiefly to solicit office. D. P. Cook, for himself; my old friend Joseph Anderson, now Comptroller of the Treasury, for his son. W. S. Smith is now a clerk in his office, in a place which he wants for his son; and with some circumlocution, and some talk about his son's *declining* to be a candidate for the office of Chief Clerk in the Department of State, which he (the father) had written to me at Quincy, asking

me to reserve it for a friend of his, meaning his son, he now gave me to understand that I must either take his son or W. S. Smith as a clerk in my office, as otherwise he should remove W. S. Smith from the place he now holds, to put his son into it. I told him that I could take no family relation of my own into my office, nor recommend any one to another department. I had appointed Mr. Brent Chief Clerk, because he was already in the office, because he was recommended by the President and Mr. Rush, and because there was no ground for me to remove him. I considered myself under an obligation to appoint another person to the place vacated by Mr. Brent. He asked if it was either of the clerks now in the office. I said, No. He said there was another clerkship in the department vacated by Mr. Pleasanton, to which the President wished that his brother might be appointed, but had felt some delicacy about speaking of it to me. Here the matter rested, but Anderson determined to remove Smith and give the place to his son.

24th. IV. 30. Drafted this morning before breakfast an answer to two letters from the Spanish Minister. At the office from ten to four o'clock; but the papers to read and the visitors absorb the office hours, so that I find there scarcely a moment for writing. I made out, however, a circular notification to the foreign Ministers accredited here that I had taken upon me the duties of Secretary of State. Sent my letter to the French Minister. Mr. Brent informed me that Mr. Rush wished for a definitive order from the President for him to take passage in the Franklin seventy-four-gun ship. I intimated to Rush himself a doubt whether some inconvenience to himself might not result from the impression which might be made by his going in that vessel; but he had set his heart upon going in her, and anticipated rather with exultation the impression that it would make in England. I promised, therefore, to write to the President on the subject.

26th. IV. From which hour till breakfast-time I was engaged in writing letters. On my way to the office I returned the visit of Mr. Baker, the British Consul-General, who was the Secretary to the British Plenipotentiaries at Ghent. He was engaged, and I left a card. Mr. Clay called upon me at the office. Mr.

Bagot, the British Minister, had by a note yesterday asked an interview with me, for which I had appointed this day at two o'clock. This morning, Mr. Hyde de Neuville sent a note, saying that he found himself obliged to leave the city sooner than he had expected, and requesting an interview, which I gave him immediately. We had a long conversation, of which, as well as of all others, it is henceforth utterly impossible for me to keep any record. It gave me, however, some insight into his character. Mr. Bagot came at two, and had also with me a conversation of about half an hour. Mr. de Neuville's views changed so much in the course of our conference from what they had been by his letter of last evening, as made it necessary for me to consult with Mr. Rush, and to write to the President. In the evening, I prepared from Rush's minutes instructions for J. B. Prevost, and began a letter to the President; but even in less than one week since I entered upon my office I find my eyes already so much affected, that before ten I was obliged to desist from writing and retire to repose.

28th. W. Lee came and read me an account, drawn up by him, of all the information obtained by him from the French exiles and projectors here. He is to make out another copy to be sent to the President to-morrow.

29th. I called at the Treasury Office and consulted with Mr. Crawford, who agreed with me that Captain Biddle should be associated with J. B. Prevost in the authority to take territorial possession at the mouth of Columbia River. He told me that Mr. Clay did not believe in these levies of men in the Western States by French emigrants, and that he was determined at the next session of Congress to propose the acknowledgment of the South American insurgents. Mr. Crawford said he had advised the mission to South America, and seemed dissatisfied that the Commissioners were not yet gone. He said it would now be too late for the object intended, which was to obtain full information before the meeting of Congress. W. Lee came with a copy of his statement, which I forwarded to the President.

*October* 1st. In the evening I began to draw up the instructions for R. Rush. Reflected upon a general principle for

drafting instructions to Ministers going abroad. First idea—reference to the treaties between the two countries; began upon that. To consult Rush himself. Some particulars of instructions should be circular. What are they?

2d. Continued drafting instructions for Rush. The subject opens upon me as I proceed; I shall be at no loss for want of matter. Commodore Charles Morris was at the office, just returned from a cruise in the Congress frigate to the West Indies and on the Spanish Main. He took out an agent named Tyler, employed by the Government upon some claims of American citizens on the black Governments of Christophe and Pétion, in St. Domingo. King Henry of Hayti refused to receive the agent, as not knowing any such person as Christophe, or any such place as Cap François. Mr. Tyler died on the passage home. Morris has collected some information about the state of affairs between Morillo's Spanish forces and the South American insurgents in Caraccas. Rush was also at the office; I told him I believed he must do as Sully did when he was sent to England by Henry the Fourth of France, and draw up his own instructions. At all events, I asked him to make a minute of all the subjects upon which he wished for instructions, which he promised.

3d. I had visits this morning from Mr. Levett Harris, Mr. Nourse, the Registrar of the Treasury, and Mr. Correa de Serra, the Portuguese Minister. Harris had just returned from visits to Mr. Jefferson, Mr. Madison, and President Monroe, and Correa was going to pay them. Correa says he calls them the Presidential Trinity, and that last year he called them the past, the present, and the future. Harris came among other things for the settlement of his accounts, in which there are some extraordinary charges; among the rest, thirteen hundred and thirty-two dollars for the expenses of his nephew's bringing my dispatches, containing the Emperor Alexander's offer of mediation. I told Harris there had never been any idea that there was to be any expense for his nephew's bringing the dispatches, which he fully admitted, but he said it had cost him as much as he had charged. His nephew was shipwrecked on the coast of Finland, then was obliged to go to Gottenburg by

land, and to England in the packet, thence to Bermuda, likewise in a packet, and thence at equal expense to this country. He had therefore made the charge, but would leave it entirely to my determination. His account was approved with the exception of that charge, which is left for the President's determination.

7th. Read Mr. Jefferson's report upon Weights and Measures, made to the House of Representatives in January, 1791. This is a subject which weighs much upon my mind.

21st. On going this morning to the office, I was informed that the President had returned last evening to the city. I found him at his house, and had an hour's conversation with him. Mr. Crawford came in while I was there, and I left him with the President. It was past five when I got home to dinner.

24th. It was past three before I could call at the President's, and I was with him upwards of an hour. I asked him at what time it would best suit his convenience that I should call upon him daily. He said he had given a general order to receive me at all times, but in a few days he would fix upon some regular hour to see me, as it would be necessary for him to take some part of the day for exercise. He desired me to come to his house to-morrow morning at eleven, to meet Mr. Crawford and Mr. Rush (as he had been in the Department of State, and a member of the Government) for a consultation upon various points, and particularly with regard to South America. He should put the question, whether we should now acknowledge the Government of Buenos Ayres? I took his directions upon various subjects, and left him at half-past four.

25th. At eleven o'clock I went to the office, and immediately afterwards to the President's, where there was a Cabinet meeting. Mr. Crawford, Mr. Rush, and the acting Secretary at War, G. Graham, were there. The President proposed a series of questions, relating chiefly to Spain and the South American insurgents. They were discussed until half-past three o'clock. No decision was taken upon any of the questions, but the President adjourned the meeting to next Tuesday.

28th. At twelve o'clock I attended the Cabinet meeting at the President's. It continued till near four, and a further

meeting was fixed for the day after to-morrow, at eleven. In the mean time, I am to see the agent from the Buenos Ayres Government to-morrow morning, and to hear and report at the next meeting what he has to say.

29th. At twelve o'clock General Mason came with Don Manuel Hermenegildo Aguirre, the person sent as an agent from the Government of Buenos Ayres. He gave me a letter to the President, containing the declaration of independence of Buenos Ayres, with an exposition of the motives of that act, written by himself, and two commissions to himself, inclosed in a sealed packet addressed to me. One commission was from the United Provinces of South America (Buenos Ayres), signed by the Supreme Director Puyerredon, styling Aguirre Commissary-General of War, and constituting him agent of the Government near that of the United States. The other was from the Government of Chili, signed by the Director O'Higgins, and was merely an authority for purchasing warlike stores. I had a conversation with him of more than an hour, and, after he left me, took to the President the letter for him, together with many other papers. The President had sent me this morning the draft of instructions for Mr. Rush, with a memorandum for alterations on three points. On conversing with him, and recurring to the Commercial Convention of 3d July, 1815, he directed me to leave the draft on that point as it stands, without alteration. On the second, the allowance of necessary expense for office rent, he reserved the decision, but inclined to leave it as it stands. The other alteration that he desired was inconsiderable. I proposed to him to add a standing instruction against accepting the bauble presents that the European sovereigns offer to Ministers accredited to them when they take leave, or upon the conclusion of treaties; to which he readily assented.

30th. The Cabinet meeting at the President's was fixed for twelve o'clock, but it was half-past twelve before I got to the office, and the President sent a message to say he was waiting for me. I attended immediately, and the meeting sat till near four. The President had presented several written questions for consideration, relating to South American affairs, to our

relations with Spain, and to a piratical assemblage at Amelia Island and at Galveston. This day Mr. Graham, who is Chief Clerk in the War Department, and acting Secretary, observed that the six months allowed by law for substitutes to act instead of heads of Departments had expired in his case, and he had scruples as to his right of assisting any longer at the meetings. Mr. Rush observed that he was under a similar embarrassment, considering his office of Attorney-General as vacated by his new appointment of Minister to Great Britain. The President said he had offered the office of Secretary of War to Mr. Calhoun, of South Carolina, and was daily expecting his answer. Mr. Crowninshield, the Secretary of the Navy, was on his way to the city, and expected here in a few days, and he (the President) had written this morning to Mr. Wirt, of Richmond, Virginia, offering him the office of Attorney-General; but it was very doubtful whether he would accept it. The President said that he should have been very desirous of having a Western gentleman in the Cabinet, but he could not see his way clear. He had taken great pains to inform himself, but he could not learn that there was any one lawyer in the Western country suitably qualified for the office. He had particularly enquired of Judge Todd, who had assured him there was no such suitably-qualified person. This, he said, was perfectly confidential. Graham said that he had enquired this morning of Mr. Clay, who had told him, also confidentially, the same thing—that there was no lawyer in that country fit for the office of Attorney-General. The questions were again discussed, and as it appeared to me that all the gentlemen were backward in giving their opinions upon almost every one of them, I finally gave mine explicitly—that the marauding parties at Amelia Island and Galveston ought to be broken up immediately. This was at once determined upon, and it was considered as a decisive reason for dispatching the Commissioners and the frigate Congress to Buenos Ayres. I also suggested the expediency of waiting for the next dispatch from Mr. Erving before assuming any new attitude with Spain, which was agreed to; and I also explicitly avowed my opinion that it is not now expedient for the President to acknowledge

the Government of Buenos Ayres. But the President postponed his determination upon this. The meeting broke up at four.

*November* 1st. Mr. Crawford called upon me to enquire if I had sent an answer to a question from Governor Bibb, of the Alabama Territory, whether the oath of office could be administered to him by any other person than the President of the United States; I had received his letter asking the question some days since, and by the President's direction had immediately answered that he might take the oath before any magistrate competent to administer oaths within the Territory.

6th. Mr. Bagot sent this morning a note to my house requesting to see me. I appointed two o'clock, at the office, and he came. He said he had received a long memorial from several British officers, committed for trial at Philadelphia, for violating the neutrality of the United States, by being engaged in a project of making war against Spain on the part of the South American insurgents. He said these officers, some of whom were persons of distinction, had, as British subjects, applied for his interposition with the Government of the United States, who they supposed had power to afford them relief. He asked if the President had any such power while the judicial tribunal was in possession of the cause. I told him that, generally speaking, the Executive, in such cases, would not interfere, but there might be circumstances in which they could. If he would write me a line on the subject, I would lay it before the President, and give him an answer.

7th. At the President's I found Mr. Crawford, who had business with him, and, having mentioned that I had received the budget from Erving, by the President's direction, I read all the dispatches relating to the negotiation. Mr. Crawford then went away, and I spoke to the President of the approaching arrival of Mr. Greuhm, the new Prussian Minister Resident and Consul-General, and asked him if he would now fix a time for receiving him, or wait until after his arrival.

The President preferred waiting till after his arrival, and said it was his desire to place the foreign Ministers here much upon the same footing as the American Ministers were placed at the

European Courts, upon a footing of form and ceremony. They had heretofore visited the Presidents familiarly, and called to take tea at their houses, as among individuals. He thought that improper. The intercourse between the Chief Magistrate and foreign Ministers should be reserved and formal. He had given them notice of this intention soon after he entered upon his office. If they wished to ask for personal audiences, he would always grant them, and receive them in form. It was under consideration whether he should have weekly evening parties, as had been customary with the former Presidents who had ladies. If he did, the foreign Ministers, as well as others, might attend them, but otherwise he did not expect a foreign Minister would come to his house without invitation. As soon as he should have a Secretary he would also fix regular times for receiving visitors, for now he had not a moment of the day or the night free from them. Even his dinner-hours were molested. He had it also in contemplation that there should be a uniform dress adopted for the heads of Department and officers of Government, but that must be an affair of consultation.

8th. Mr. Frederick Greuhm arrived last night with a commission of Minister Resident and Consul-General from the King of Prussia, and called upon me this morning. Precisely at the same time came General Charles Lallemand, whom W. Lee had yesterday asked to introduce to me, but which I had declined. He came this morning of his own accord, introduced himself, and asked to see me again to-morrow morning, to which I consented. I told Mr. Greuhm that I would inform the President of his arrival and take his orders for the time when he would give him an audience to receive his credentials. I mentioned also to him two things, which I requested him to make known to his Government, and which I had preferred speaking of to him informally rather than to notice them by official notes. His credential letter was addressed to the Congress of the United States. By our Constitution, foreign Ministers were received by the President, and all credential letters from foreign sovereigns should be addressed to him.

He said this had occurred to himself, and he had made the remark when his credential letter was made out, but they told

him they had only one record of a similar letter from the King to this Government, and that was upon the occasion of my taking leave. They supposed that had been drawn up according to advice from me, and that was addressed to the Congress.

I told him I remembered it well, but it had not been drawn up by my advice. I had received it as drawn up and delivered to me without objection, because I was unwilling to make a difficulty at parting, and did not suppose it would operate as a precedent afterwards. He said he had no doubt his Government would readily conform to the regular mode of address when they should be acquainted with it.

The other circumstance which I noticed was the union in his commission of the characters of Consul-General and of Minister Resident; a union so unusual in Europe that I had never known an example of it. There was this inconvenience in it, that as the Minister would be entitled to the privileges and immunities of the diplomatic character, and as the Consul-General might be a merchant actually engaged in trade, there might arise very disagreeable questions of conflict between the claim of privilege and the rights of the tribunals of the country. It was therefore the wish of the President that the Prussian Government should understand that while we recognize in their full extent the privileges of public Ministers, we do not acknowledge them as in any manner belonging to Consuls.

Mr. Greuhm admitted the force of these observations; but said he thought there were examples of the union of the characters in Europe, though he did not personally know of any. He supposed, however, that his commission had been adopted from the example of the Danish Minister and Consul, Mr. Pedersen. I had precisely suspected this to be the case. Greuhm added that there was a Mr. Weiss coming with an appointment from the Austrian Government uniting the same characters. I told him that if he should come, the same observations would be made to him.

9th. General Lallemand called again this morning, and entered into a long explanation of his views and intentions, with a strong denial of his having ever contemplated engaging in any project contrary to the laws of the United States. He

said he had been invited to join in McGregor's expedition to Amelia Island, but had declined; that he had refused to engage in some other projects of a similar nature, though he had an ardent love of liberty and a warm sympathy with the South Americans, whom he considers as struggling for that cause. He had never been the partisan of a man, but that of his country. He had followed the Emperor (Napoleon) in his misfortunes, and, of all his counsellors, had alone advised him not to trust himself to the English. He added that if, after these explanations, he was still an object of uneasiness and suspicion to this Government, he would quit the country and seek a refuge elsewhere, as he was determined at all events to preserve his personal independence.

I told him that he was in no wise an object of uneasiness to this Government; that they had received from various quarters information of a project for levying moneys in the United States for an expedition to join the Mexican insurgents; that Joseph Bonaparte was to be placed at the head of this movement, and that his (Lallemand's) name had been implicated in it; that as this project was contrary to the laws of the United States, which the Government were bound to see executed, its existence had given them uneasiness, particularly as its tendency was to force them to take a decisive part against the exiles from France who had sought, and were enjoying, an asylum in this country; that the Government had now reason to believe this project was abandoned. There was no suspicion entertained against him, and so long as he should conform his conduct to the laws, the Government would neither have the power nor the inclination to molest him.

He said he knew the French and Spanish Ministers were both much alarmed at the new projected French settlement on the Tombigbee, and the French Minister had sent to him (Lallemand) a Garde du Corps of the King to offer to enlist himself to go to Mexico. He said he had laughed in the Garde du Corps' face, for it was really too absurd.

I told him that his name had not been mentioned in any communication from the French Minister to this Government. He said he had heard of some pretended letters from Lakanal

to the Comte de Survillier (Joseph Bonaparte), but he lived in perfect retirement, and had refused to receive those letters, which had been the only cause of their being intercepted. He (Lallemand) did not know Lakanal, had never seen him, knew nothing, whether he had written the letters, whether they were forgeries, or what they were. But it would be hard if the Comte de Survillier should be held responsible for letters written to him, which he had refused to receive.

10th. When I came to the President's, I found Mr. Crawford with him. General Lallemand and Mr. Villers have been chosen directors of the French Tombigbee settlement; and now Lallemand, who is outlawed, and under sentence of death in France, has applied to be presented to the President. This led to some discussion of the subject, and to a question how the intercourse between the President and the foreign Ministers should in future be regulated.

It was interrupted by a visit of Wyandot, Delaware, and Seneca Indians, whom the President received in form, but without the ceremony of smoking the calumet, which I witnessed on a similar occasion at President Washington's, in Philadelphia, in 1794.[1] Mr. Graham, the acting Secretary at War, the President's brother, Mr. Joseph Monroe, Colonel Wharton, and Mr. Ringgold were present at the meeting this day. There was a white interpreter for the Delaware and Wyandot Indians, but he did not understand the language of the Senecas, so that, when they spoke, one of the Wyandots interpreted for them to the white interpreter, who interpreted again to the President. They came to ask for some grant of lands and some supplies, part of which the President assured them they should have, and for part he referred them to Congress. They said they had all become cultivators of the land, and had altogether abandoned the life of huntsmen. Wine was served round, which one of them, supposing it to be rum, at first declined taking. The President noticed his refusal, and expressed his satisfaction at this marked aversion to ardent spirits.

14th. At the President's I found Mr. Crowninshield, with the draft of instructions for Captain Henley, of the John

[1] See volume i. p. 34.

Adams, to go and break up the marauding establishments of Amelia Island and Galveston. I had drafted a letter to Mr. Erving, to give explanations to the Spanish Government on the said subject. The instructions and my draft were both read, and found to be entirely conformable to each other. Mr. Crowninshield withdrew, and Mr. Crawford came in with pressing business from the Treasury Department, upon which I took leave, reserving till to-morrow the further objects that I have to submit. The President informed us that he had now given orders to receive the heads of Departments at all times, but other visitors only at and after one o'clock. Mr. William Wirt, of Virginia, has accepted the office of Attorney-General, vacated by Mr. Rush, and the commission was this day made out and sent to him.

17th. This morning I drafted an answer to Mr. Bagot's letter concerning Stewart and took it to the President's. I found C. A. Rodney[1] with the President, and proposed reading the draft of instructions for the Commissioners to South America while he was there. The President preferred that they should be read also in presence of Mr. John Graham, and asked Mr. Rodney to desire Mr. Graham to call to-morrow for that purpose. Rodney went away. I read the draft of instructions, and left it with the President. He did not like the draft of a letter to Bagot, and desired me to write another. On my reading Aguirre's letter to me, and his statement of his conversation with Rush in July, the President desired me to send a copy of it immediately to Rush, and ask for a statement of the conversation. I spoke about Ebeling's library, and what I had done to purchase it, with a view to give Congress the option of having it for their library. He said that all books on the geography of America became obsolete in ten years, and that one hundred and fifty volumes would comprise everything worth having concerning America.

18th. I made a second draft of a letter to Mr. Bagot concerning Stewart, which the President approved, and it was sent. Calling at the President's as I went to the office, I met there

[1] Mr. Rodney had been appointed one of three Commissioners to visit the States of South America and report upon their political condition.

Mr. Wirt, the Attorney-General. Mr. Crawford afterwards came in. The President asked me to call again on my return from the office home, which I did. When I returned, he read over my draft of instructions to the Commissioners for South America, and directed alterations and additions, which I accordingly made at home this evening.

20th. At the President's I met Mr. Meigs of the Land Office with a map of the army lands in the Illinois Territory. I received yesterday a letter from the Chevalier Correa de Serra, the Portuguese Minister, asking in what manner he could pay his personal respects to the President, and communicating the change of title of the Prince of Brazil. The President, who has determined to have in future no familiar intercourse with the foreign Ministers, directed me to answer him that if he wished to communicate in person the change of title of the Prince of Brazil, the President would fix a time for admitting him to a private audience for that purpose, and simply adding an assurance of the President's sensibility to his mark of personal respect. Mr. Wirt, the Attorney-General, called at the office, and had some conversation with me on the cases referred to him for his opinion. He asked for copies of the papers, intending to keep an official record of all the opinions that he shall give, which has not hitherto been the practice in the Attorney-General's office.

21st. On calling at the President's this morning with the draft that I had made of an answer to Mr. Correa, according to his directions yesterday, I found it did not exactly suit his ideas, and I was obliged to make an alteration of the draft. The President went again into the subject of the intercourse between him and the foreign Ministers, which he wishes to restore to the state in which it was under the administrations of President Washington and my father, and which has been departed from in those of Mr. Jefferson and Mr. Madison. But in this retrograde movement he is anxious to avoid everything that may run counter to the popular feeling, and everything that may displease the foreign Ministers themselves. The case of Mr. Correa is peculiarly embarrassing, because his intimacy with Mr. Jefferson and Mr. Madison was great, and had existed

before his appointment as Portuguese Minister. He has also been in considerable intimacy with Mr. Monroe, who, however, now, as President, cannot discriminate between him and other foreign Ministers.

22d. I had written yesterday to the Portuguese Minister, Mr. Correa, requesting him to call at the office of the Department of State at eleven o'clock this morning; but his residence being on the way to my office, I stopped there, and he received me. I asked him whether he wished for a private audience from the President, to announce the change in the title of the Prince of Brazil. He said, No; but he had enquired of me in what way he could pay his personal respects to the President, because he was aware that it should not be with the familiarity which would be proper between individuals. I told him he might call at the President's house, and if not received, leave a card. He said he should in future leave a card, but he had been apprehensive that would be too familiar a course, as it was customary in Europe for books to be kept in which persons wrote their names. I told him a card would answer here for the present, and if a book should be kept hereafter, the foreign Ministers would have notice of it. The Abbé said that all these things were officially necessary and proper, but he was sure my opinion as to the substance of all these things was the same as his own. I told him I had no doubt it was. He asked me whether, setting the Secretary of State and the Portuguese Minister aside, he could sometimes come and see me as an individual. I told him I was at home every evening, and should be happy to see him whenever it should suit his convenience to come. He said he thanked me for the privilege, which he would enjoy without abusing it. He then told me, but said he did not ask it as a question, and did not expect I would answer it, but he had concluded from the style, &c., that I was the author of two pieces in the National Intelligencer, signed Phocion, and a North American, in answer to Lautaro.[1] These are all political speculations upon the question

[1] Seven letters had appeared in the Richmond Enquirer under this signature, and they were immediately reprinted in the Intelligencer. The purpose was to press the government to early recognition.

about acknowledging the revolutionary South American Governments. As I thought the Abbé was sounding rather unseasonably the ground, I thought it best to leave him in his uncertainty, and simply said that when persons used fictitious signatures in the newspapers, it was usually because they had motives for not signing their own.

24th. Mr. Bagot sent a note to ask an interview. I appointed two o'clock this day, and he came. He spoke of a note that he had presented a year ago, about the duties on English rolled iron, and concerning which nothing was done at the last session of Congress. Then of his note about the mutineers of the British merchant ship Sir Joseph Banks, brought to Boston in the Galen. Then of his note concerning the British officers confined at Philadelphia.

I told him that I should shortly send him an answer upon this last case, with copy of the report from the District Attorney, to whom the memorial of the officers had been referred; that the papers concerning the men brought to Boston from the ship Sir Joseph Banks had been referred to the Attorney-General, whose report I expected would soon be made, and I should then immediately answer the note; but I thought we could not deliver up the men, and that our law would in this case be precisely the same as the English law. I added that if the British Consuls in this country would attend a little to the laws of their own, they would forbear many of their complaints, as in this case it would have been necessary to recur only to Magna Charta and to the Habeas Corpus Act.

Mr. Bagot did not reply much to all this. He had in truth asked to see me for quite a different affair. Assuming suddenly a very grave air and tone, he said that the Northwest Company had been informed, and he had been informed, that the corvette Ontario had been dispatched from New York on a voyage round Cape Horn, for the purpose of disturbing the British settlement at the northwest coast of America, and he therefore came to me to enquire if it was so.

I told him I could answer him immediately, that neither the Ontario, nor any other vessel of the United States, had any orders to disturb any British settlement whatever. But he

knew we had, before the war, a settlement at the mouth of Columbia River, which might be renewed, and that we had discovered the river. Our settlement, he knew, had been broken up by force during the war; after the peace the restoration of it had been demanded by a note from the Secretary of State to Mr. Baker, which he had answered by stating that no possession of the place had been taken by the British, but that they had immediately withdrawn after destroying the American settlement.

Bagot said Captain Cook had discovered the river, and that in 1787 Great Britain had spent upwards of three millions sterling upon a contest for that territory with Spain—for then they only had Spain to dispute with for it—and he thought Great Britain had some claim to the country from the time of Drake's voyage.

I told him they had better claim from Sebastian Cabot, or Sir Walter Raleigh.

He said, No; that question was settled.

25th. I dined at Mr. Robert Brent's. Messrs. Crawford, Clay, Bagot, Antrobus, Hughes, G. Graham, Walsh, Daniel and R. Brent, Junrs., were there, and Mrs. Pierson, daughter of Mr. Robert Brent. We had much miscellaneous conversation at table. Mr. Bagot told me he should write me a note about the Columbia River affair, and should enquire at once "quo jure." I told him perhaps we should answer by retorting "quo jure" he asked the question. He said he was sure he should express the strong feeling of his Government.

26th. This evening I received Mr. Bagot's letter concerning the settlement at Columbia River.

28th. At one o'clock attended at the President's, at the Cabinet meeting. He read his purposed message, first through without interruption, and then by paragraphs. There was a variety of discussions upon certain passages, and some alterations made. Messrs. Crawford, Crowninshield, Wirt, and G. Graham were present. Before the reading by paragraphs was finished, dinner was announced. At dinner, besides the members of the Cabinet, there was Mr. Joseph Monroe, now the President's private Secretary, and Mr. Purviance.

*December* 1st. When I called at the President's with my

papers, I found a Mr. Lomax with him. Mr. G. Hay, Junior, afterwards came in. The President had removed into his cabinet, which is now papered. He appointed Wednesday at one o'clock for an audience to Don Luis de Onis, the Spanish Minister, to deliver a letter from the King of Spain. I found Mr. Onis himself at the office of the Department, and had a conference with him of two hours. His propositions for a treaty were the same as those made by Mr. Pizarro to Mr. Erving, which I told him were so inadmissible that it would be useless to enter upon the discussion of them. He nevertheless referred to many documents to prove that Louisiana never extended westward of the Mississippi, and enlarged upon the interest of the United States and Spain to harmonize together, with other powers, against the commercial domination of Great Britain. Onis had also an inofficial proposal to make to me, which was, that I inofficially should authorize any agent of the United States going to Buenos Ayres to ransom for fifteen per cent., or more, two ships belonging to the Spanish Philippina Company, taken by a privateer under the Buenos Ayres flag, but fitted out from Baltimore, and manned by citizens of the United States. This I also declined.

6th. I called at Mr. Anderson, the Comptroller's, office, and found Pleasanton with him. There came in several other persons; but upon the subject on which I called I could not wait for another time to speak to him. I told him that I had offered the vacant clerkship in my office to his son Alexander, who had declined it, at which I had been somewhat surprised, as he (the father) had applied to me for it. He said he thought it was best to be candid with me on the subject; it was because I had not offered him the clerkship with fifteen hundred dollars salary, instead of one with thirteen hundred and fifty dollars. Young Anderson is about twenty-two years of age, and has a place in his father's office of twelve or thirteen hundred dollars. At Quincy I received a letter from his father, telling me he had a *friend* to recommend to me for Chief Clerk in my office. This son, Alexander, was that friend. The application from Mr. Bailey had been previous to Anderson's, and when I arrived here, on comparing the just claims of all the persons

presented to me as candidates, I confirmed Mr. Daniel Brent in the office of Chief Clerk, which he had held ever since the resignation of Mr. Graham, on the fourth of March last. He was strongly recommended by Mr. Monroe and Mr. Rush; had many years' experience of the business of the office; was a man of forty years of age, or upwards, and of the most respectable character. I could on no consideration remove such a man to make way for any other. Then came the fifteen hundred dollar clerkship. Anderson himself told me that the President wished that might be offered to his brother Joseph. I therefore offered it to him. The next, the thirteen hundred and fifty dollar office, Anderson said would not suit his son; but William S. Smith had got a temporary office of one thousand dollars a year salary under Anderson, which clerkship Anderson wanted to suppress to increase with it the salary of his son, and so he proposed to me to give W. S. Smith my thirteen hundred and fifty dollar clerkship, so that he (Anderson) might get rid of him. I told him I should appoint no relation of my own to any office under me. The next step was a communication from Anderson to me through Mr. Crawford, that W. S. Smith should be retained in the office under Anderson if I would give Anderson's son the thirteen hundred and fifty dollar clerkship in the Department, which, in the particular circumstances of the case, he would consent to accept. I told Crawford that I could make no such bargain, and would neither directly nor indirectly contribute to place any relation of mine in any office. Crawford then intimated that W. S. Smith must consequently be dismissed from the place under Anderson, upon which I observed that I had nothing to say. Smith was accordingly dismissed, and W. Lee gave him a place of the same salary in his office, without any knowledge of mine. Smith and his wife, and all the family, were up in arms against me about it; but I thought my resolution right, and adhered to it. I offered the thirteen hundred and fifty dollar clerkship to Mr. Bailey, who had been several years a tutor at Providence College, was a member of the Legislature of Massachusetts, and had a multitude of the strongest recommendations. He accepted it, though his application too had been for the office of Chief Clerk, and he was

something reluctant at taking a fourth place instead. When Mr. Monroe declined the fifteen hundred dollar place, I assigned it of course to Mr. Bailey. Anderson instantly got wind that Monroe had declined, and spoke to me about it. He asked me to whom I intended to give the vacant clerkship. I said I proposed offering it to his son. He said he would mention it to him. But he was thinking of the fifteen hundred dollar office, and I of the thirteen hundred and fifty dollar one. When I wrote the note offering the place to young Anderson, it first occurred to me to express explicitly which place I meant to offer him, but it seems his expectations had been of the other. I told his father I was sorry there had been any misunderstanding in the case, but Mr. Bailey's age and standing in society, and respectability of character, forbade me to put another person over his head.

I called next at Mr. Nourse, the Registrar's, office, and conversed with him on the affairs of the Indians. Thence I went to the President's. Mr. Calhoun was there, and the President introduced him to me. Mr. Crawford came in. There was conversation upon various subjects. Mr. Clay had already mounted his South American great horse. Mr. Robertson, of Louisiana, follows him, "non passibus æquis." Clay's project is that in which John Randolph failed, to control or overthrow the Executive by swaying the House of Representatives. He intends to bring forward his motion to acknowledge the Government of Buenos Ayres, and perhaps Chili, and Mr. Crawford came with proposals from him to the Executive, professing a wish to harmonize with the Executive as to the manner of bringing it forward. Mr. Calhoun pronounced himself most decisively against the measure; I had done the same before, and the President now, after some little hesitation, did the same. I have no time to give the details.

9th. At the President's I met Mr. Crowninshield; there are several calls from the House of Representatives for papers and information. The President said we had had a battle with the Seminole Indians, who were defeated, and had fled into East Florida, and it was now a question whether they should be pursued there.

12th. On calling at the President's this morning, I met Mr. Crowninshield there. The President was very anxious to have the papers called for by the House of Representatives, concerning Amelia Island and Galveston, sent this day; but that was impossible. He said the House were so impatient for them, that if they were not sent this day there would be another call for them. There is one of the papers implicating the British Government in such a manner, that the President has thought proper to omit certain passages of the letter in the communication to the House, but to give a copy of the whole to Mr. Bagot to be communicated to his Government. I gave him the copy this day. He expressed himself much gratified with the delicacy of this proceeding, and said he did not believe there was a word of truth in the story told by the British officer, Colonel McDonald.

19th. Attended this evening a ball in honor of the Duchess d'Angoulême's birthday at Mr. Hyde de Neuville, the French Minister's. The company consisted of about two hundred persons—members of Congress and citizens of Washington. The foreign Ministers were all in full dress. Mr. Bagot introduced Lord Selkirk to me. Mr. Onis asked me for an answer to his note about Amelia Island. I told him that orders had been sent to Mr. Erving, our Minister in Spain, to give suitable explanations to his Court; that it was for their benefit as much as our own. He said that McGregor had taken the island with men all enlisted at Charleston and Savannah. The grand jury of the Circuit Court at Philadelphia refused to find a bill against the British officers arrested there. We came home immediately after supper, about midnight.

24th. The President gave me for perusal a statement from the Department of War of a question between that Department and General Andrew Jackson—a letter from the President to Jackson of 5th October, and Jackson's answer of the 22d. The Department issued an order to a subordinate engineer officer, within Jackson's division, directly to the officer, and not through Jackson as the Commander-in-Chief in the district. Jackson afterwards issued a general order throughout his district forbidding his officers to obey any order from the Department of

War not sent through him. The President's letter is very kind and conciliatory, but urges Jackson that he was wrong. The answer is moderate in language, and acknowledges the conciliatory character of the President's letter, but adheres to the principle of Jackson's order, and proposes a compromise of withdrawing his order on condition that the order from the Department of War which occasioned his should be withdrawn first.

Mr. Aguirre came to me at the office at two, and I had with him a conference of nearly two hours. He gave me a copy of the Declaration of Independence of Buenos Ayres of 9th July, 1816, and read to me in English a paper urging the acknowledgment of that Government by the United States. I asked him if it was in consequence of any new instructions. He said, No, but in consequence of what had passed in Congress on the subject. His instructions were to urge the recognition of Buenos Ayres (and he had no commission as public agent from any other Government) as circumstances might occur to favor the demand; but he was expressly instructed not to urge it at the hazard of embroiling the United States with any of the powers of Europe. He told me there were three public agents of Buenos Ayres in Europe—one at London, one at Vienna, and the third had been under the guarantee of the British Minister at Madrid, but he believed was now gone to Paris. The proposals that he had made to Spain were, that the King of Spain's brother, the Infant Don Carlos, should be the sovereign of Spanish South America, but upon two conditions—one, the absolute independence of South America; and the other, that Don Carlos should go over alone, without any troops. Spain rejected these proposals, and would hear of nothing but unconditional submission, upon which the Declaration of Independence was made.

I told him that all due weight and consideration should be given to his suggestions.

I dined with my wife at Mr. Crawford's. Mr. Gaillard, Mr. and Mrs. Clay, Mr. and Mrs. Calhoun, Mr. Macon, Mr. Troup, Mr. Roberts, and a Miss Vail were the company. Clay came out with great violence against the course pursued by the Executive upon South American affairs, and especially in rela-

tion to Amelia Island. Clay is as rancorously benevolent as John Randolph. He has taken his stand of opposition from the first day of the session, and his object is evidently to make grounds for it. There has been a strong expectation that he would hold this course, and he has not held the public or the Government in suspense concerning his intentions.

26th. Received a note from the President asking me to call at his house at twelve o'clock to meet the other heads of Departments and consult upon the war with a Southern tribe of Indians, the Seminoles. As I had other papers to lay before the President, I went to him at eleven, and reported to him the substance of the conversation that I had with Mr. Aguirre the day before yesterday.

He told me that it was the practice of the Government to communicate in confidence to all the heads of Departments every important circumstance occurring in our foreign concerns, and also to the Chairman of the Committee of Foreign Relations, and he desired me to send to Mr. Forsyth and request him to call at my office, and communicate with him very freely upon the posture of our foreign affairs. This had heretofore been the practice, and had been found very useful to the Government. Mr. Forsyth was friendly to the Administration, and any confidence might with perfect safety be reposed in him.

At twelve o'clock Messrs. Crawford, Calhoun, and Crowninshield came in, and there was a deliberation upon the measures to be pursued with the Seminole Indians, who have commenced actual hostilities and cut off a detachment of fifty men going with a boat and provisions for part of the troops under General Gaines. It was determined to send an order to Gaines to assemble all the disposable regular force within his reach, with the addition of militia from the State of Georgia, and to reduce them by force, pursuing them into East Florida, if they should retreat for refuge there, and that an order should be sent to General Jackson to repair immediately to the seat of the war and take the command.

The question recurred whether, if possession has been taken of Amelia Island, after dispersing the unauthorized freebooters and privateersmen who have taken it, our troops should retain

possession of it, or abandon it to be occupied again by the Spanish authorities from Florida. Mr. Crawford was for giving it up, and the President evidently inclines also to that course. It was, however, determined to postpone that question.

29th. At the President's. He told me that his house would be opened on New Year's day at noon to receive company. I enquired if a short time sooner should be appointed for the foreign Ministers. He at first objected, but afterwards said he would have a Cabinet consultation upon it to-morrow between eleven and twelve.

30th. I rode to the President's, where I found Mr. Crawford and Mr. Calhoun. They had agreed, and the President determined, to receive the foreign Ministers at half-past eleven on New Year's day, half an hour before the general company, and I sent notifications to the foreign Ministers to that effect.

Mr. Middleton, Chairman of the Amelia Island Committee, was also with me, and I gave him all the additional information that I possessed concerning it. I showed him the *secret* laws, those singular anomalies of our system which have grown out of that error in our Constitution which confers upon the legislative assemblies the power of declaring war, which, in the theory of government, according to Montesquieu and Rousseau, is strictly an Executive act. But as we have made it legislative, whenever secrecy is necessary for an operation of the Executive, involving the question of peace and war, Congress must pass a secret law to give the President the power. Now, secrecy is contrary to one of the first principles of legislation, but this absurdity flows unavoidably from that of having given to Congress, instead of the Executive, the power of declaring war. Of these secret laws there are four, and one resolution; and one of the laws, that of 25th June, 1812, is so secret, that this day it could not be found among the rolls at the Department. Another consequence has also followed from this clumsy political machinery. The injunction of secrecy was removed on the 6th of July, 1812, from the laws previously passed by a vote of the House of Representatives, and yet the laws have never been published. Mr. Middleton said he would see me again before he should make his report to the House.

31st. Madame Plantou came with a print of her allegorical picture of the Peace of Ghent, for which she laid me under a contribution. It is a bombastic and foolish thing, but Madame Plantou gives herself out for a native of Philadelphia, and is a painter. This is one of her works. There is an America in a triumphal car, and a Britannia upon her knees, submitting to terms of peace, dictated by Minerva and Hercules. O, the voracious maw and the bloated visage of national vanity! If it were true that we had vanquished or humbled Britannia, it would be base to exult over her; but when it is so notorious that the issue of our late war with her was at best a drawn game, there is nothing but the most egregious national vanity that can turn it to a triumph.

I received this morning notes from Mr. Bagot and Mr. Hyde de Neuville, to ask if their ladies could visit Mrs. Monroe to-morrow. At the President's, where I met Mr. Crowninshield, there was again a consultation, and my wife called on the ladies and informed them that they would also be received, at half-past eleven to-morrow.

*Day.* In its general arrangement, the same as the last month; but on the first day of December the session of Congress commenced, since which the business of my office has been more pressing than before. On the other hand, during five or six days of very cold weather I rose much later in the morning, and could scarcely write at all, and we have dined several times and spent evenings abroad, which makes late hours, idle habits, and waste of time. My indispensable business runs in arrears, and sometimes crowds me almost to distraction. I seldom reach my office before one o'clock, or leave it till five.

I close the year with humble gratitude to God for his manifold mercies to me and mine during its course. It has been the period of another great change in the condition of my life, upon which I once more implore the blessing of Providence, to my country, my family, and myself; that I may know and be enabled faithfully to discharge the duties of my station, and that my heart and mind may be prepared for every dispensation of the divine wisdom and goodness.

*January* 1st, 1818.—In the evening, and until eleven, I was

writing remarks for Mr. Middleton's draft of a report to the House of Representatives upon Amelia Island. He sent it to me yesterday, with a private note requesting my observations upon it.

3d. Shaler's letters, and a complaint of A. Fitch, at Marseilles, against S. Cathalan, the Consul there, employed all the morning to read. At the President's, I mentioned to him again the proposal for the fisheries, to be made to Mr. Bagot. After some conversation on the subject, he directed me to ask Mr. Crowninshield, Mr. Holmes, Mr. Silsbee, Mr. Nelson, and all the members from Massachusetts representing districts interested in the fisheries, to call at his house at eleven o'clock, Monday morning, for a consultation upon the proposal to be made. The President also asked my opinion concerning his entertainments to be given to the heads of Departments and the foreign Ministers, whether they should be given together or separately. I advised that it should be separately—which was apparently his own inclination. He determined to give both dinners next week—the first on Wednesday, and the other on Friday.

5th. At eleven o'clock I called at the President's, where I found Mr. Crowninshield and nine or ten of the members of the House of Representatives from the districts of Massachusetts interested in the fisheries, consulting upon the subject of the proposal to be made to the British Government. After examining the map, and some conversation, several of the members asked for time to write to their districts for information, and I undertook to reconcile Mr. Bagot to wait until the February packet for the proposal.

Crowninshield had received dispatches with information of the surrender to us of Amelia Island on the 23d of last month. Mr. Calhoun afterwards came in with the same dispatches, and the President appointed a Cabinet meeting for eleven o'clock to-morrow morning, to determine what should be done with Amelia Island.

At the office I had visits from Mr. Gaillard, the President "pro tempore" of the Senate, and his colleague, Judge Smith, and had conversation with them on various topics. Mr. Gaillard

finally asked me if there had been any new system of etiquette established with regard to visiting, to which I answered certainly none to my knowledge. I was myself determined to make no question of etiquette with any one. But I had been negligent in paying visits, from absolute want of time. They said there had been a rule adopted by the Senators, so long ago as when Mr. Burr was a member of the body, and drawn by him, that the Senators should visit only the President of the United States, and Mr. King had lately referred them to a book in which it was recorded.

I told them this was the first intimation I had ever received of the existence of such a rule. I had been five years a member of the Senate, and at the commencement of every session had invariably paid the first visit to all the heads of Departments, excepting Mr. Gallatin, who never having returned my first visit, I never afterwards visited him, except upon business at his office, and I understood he had neither paid nor returned any visits while he was Secretary of the Treasury. I had always supposed the universal practice to be that the Senators paid the first visit to the heads of Departments, though since I had now arrived here I had heard the practice was different. I was ready to conform to any arrangement that might be proper, but I supposed the rule that Senators would visit only the President did not extend to a requisition that the heads of Departments should first visit them. We parted in perfect good humor on the subject.

6th. Attended at eleven o'clock the Cabinet meeting at the President's, concerning Amelia Island. McGregor's proclamation upon taking the island being wanted, I went for it to the office, and returned to the meeting, which was fully attended. The President had partly drawn up a message to Congress, stating the taking of Amelia Island, and concluding that the troops which took it would be withdrawn. It seems that when the orders for taking the island were sent, those from the War Department directed that the persons to be expelled should not carry away any public Spanish property taken by them upon the island. Those orders I never saw. The President says he has no doubt they were shown to and authorized by him, but

now comes the embarrassment what to do with that property, consisting of two or four cannons. The President is apparently determined to withdraw the troops from the island, but he asks the opinions of the Cabinet, to take the measure with deliberation.

Mr. Crawford, Crowninshield, and Wirt are with the President, for withdrawing the troops. Calhoun and I are for keeping possession of the island, subject to negotiation for it with Spain. If I understand the characters of my colleagues, Crawford's point d'honneur is to differ from me, and to find no weight in any reason assigned by me. Wirt and Crowninshield will always be of the President's opinion. Calhoun thinks for himself, independently of all the rest, with sound judgment, quick discrimination, and keen observation. He supports his opinions, too, with powerful eloquence. The discussion of this day was adjourned for the President to finish preparing his draft of the message to Congress.

8th. I received two notes from the Spanish Minister Onis, one with a strong remonstrance against the occupation of Amelia Island, and the other, a third long memoir upon the negotiation pending.

9th. When I called at the President's I found N. Biddle, of Philadelphia, with him. He directed a Cabinet meeting on the Amelia Island affair at one o'clock. I went to the office, and returned to the President's at one. The draft of the message to Congress was again discussed, and it still persisted in the paragraph announcing that the troops would be withdrawn. I presented for consideration the doubt whether, having taken possession under the act of January, 1811, the Executive had a right to withdraw the troops and abandon the island unless authorized thereto by a new act of Congress.

This question was again discussed with great earnestness till past four o'clock. Calhoun urged retaining it, with great force and effect. I repeated the arguments of the former day, and added new ones, as they occurred to me now.

The President, without giving up his opinion, was very apparently affected by the conflict of sentiment among his advisers. Crawford was staggered, and maintained his ground

more feebly than the former day. Crowninshield candidly told me that the argument was decidedly with us, but that he thought the best *policy* would be to give the island up. Mr. Wirt, who came in very late, and heard little of the debate, was still of the President's opinion, and if he changes, will, I believe, change with him. We parted, leaving the question yet undetermined and the President not a little embarrassed.

These Cabinet councils open upon me a new scene and new views of the political world. Here is a play of passions, opinions, and characters different in many respects from those in which I have been accustomed heretofore to move. There is slowness, want of decision, and a spirit of procrastination in the President, which perhaps arises more from his situation than his personal character.

10th. At the President's I found Mr. Fromentin, one of the Senators from Louisiana, who has just returned from a tour to France. When he went away I was about to give the President an account from the dispatches of Mr. Sumter, but I found his mind was intent upon another object. He said Mr. Biddle had told him that some person of the family of Mr. Onis had in the most positive terms affirmed that Spain was in a desperate and desponding condition, and Onis had very lately received a dispatch ordering him to dispose, as soon as possible, of the Floridas to the United States upon the best terms he can obtain. The President therefore wished me to see Onis this day and ask him simply what Spain would take for East Florida, that is to say, for all Spain's possessions east of the Mississippi. I told him I would see Onis as he desired, but that I knew he would beat about the bush, and not make any proposition at all.

I sent for Onis to come to me at the office, and he came. I urged him for a full hour to make me a proposition what they would ask for all their territories east of the Mississippi, but he absolutely declined. He said Pizarro had made a proposition to Erving, and he had repeated it here. It was now our turn to make our proposition, and he would receive it with a most earnest desire (which was that of the King of Spain) that we should agree—and not only agree, but Spain wished for

an alliance with the United States—at least defensive. He urged strongly for an answer to his remonstrances against the occupation of Amelia Island.

I told him we could easily justify that—I had no doubt to his satisfaction. But it might be necessary to say things which it would be disagreeable for Spain to hear and for us to say. We had not taken the possession from Spain, nor committed any hostility against her. We had been obliged, in our own defence, to take the place in defence of our laws, of our commerce, and that of nations at peace with us, Spain included. But all this it would be useless to say if he should make me a proposition upon which we could in a few days agree. All discussion about Amelia Island would then be superseded.

He still refused to make any proposition about Amelia Island, but said he wanted an answer. I might assign what motives for the act I thought proper. He wanted something to say to the Governor-General of the Havanna, to the Governor of St. Augustine, and to his Court.

I asked him what guarantee he could give that, if we should withdraw from the island, it should not again be immediately occupied by freebooters, to the annoyance of all lawful commerce. He said that we might require that the Governor of the Havanna should send there a garrison of four hundred men.

I asked him if he could engage that they should be sent. He said, No; but he could write to the Governor of the Havanna about it, and if it should take six, nine, or twelve months, he could tell him it was a subject for negotiation between the Governments.

I reported the substance of this conversation to the President, who said he should perhaps modify his message to the House of Representatives in consequence of it. He thought he would have another Cabinet meeting upon it on Monday.

11th. General S. Smith came, and left with me a letter to the President, asking for the appointment of a Commercial Agent at Batavia. He also wanted information upon various other subjects, and particularly concerning Amelia Island. He said Aury's letter in answer to the summons had produced a great sensation among the members of the House. His son John

wrote him it had had the same effect at Baltimore. He was sure it would greatly injure the Administration among its best friends if the island should be given up.

I told him confidentially that I had from the beginning thought it should not be given up, that I believed the President had not finally determined what course to take, but that a message to Congress would go in two or three days, perhaps even to-morrow.

Smith said he would call and see the President this day.

12th. At the President's I found Mr. Desha, member of Congress from Kentucky. Mr. Calhoun and Mr. West were also there. Mr. Calhoun soon went away, and Mr. Crowninshield came in. The message concerning Amelia Island was still under consideration, and the President had modified it to the purpose of retaining the possession of it for the present. It appeared from some remarks of the President's that Crawford had been there and agreed to this modification. Mr. Crowninshield was also satisfied with the change, and Mr. Wirt had some scruples, which were, however, soon removed. The President had likewise added several very important paragraphs to the draft of the message, which he said he should send to Congress to-morrow. Mr. Middleton made the report from the Amelia Island Committee to the House of Representatives on Saturday, and it is printed in the National Intelligencer of this day.

I took the President's directions upon several other objects; but his mind is so absorbed with Amelia Island that he can scarcely bear to have any other presented to him. Mr. Chevallié called on me at the office about the message on the Beaumarchais claim. The President had sent me the papers, asking me to make the draft of a message to go with them. I read him the draft last Friday, and, after making an alteration which he suggested, sent it back to him with the papers on Saturday. He said this morning that he intended to send it in this day, which I told Mr. Chevallié.

I had a note from Aguirre asking an interview, for which I appointed to-morrow at two o'clock. Hyde de Neuville came, and I had a conversation of an hour or more with him. He

told me that the Duke de Richelieu had written him there was a Convention about South American affairs on foot in Europe; urged me again for an answer to his notes of complaint about French vessels captured by privateers, and hinted fears that the French Tombigbee settlers were engaged in a project against the Floridas. I showed him the Amelia Island Committee report, which appeared thus far to satisfy him.

13th. Going this morning to the President's, I met Mr. Middleton, who asked me if there would soon be a message from the President about Amelia Island, and said that Clay looked plaguy hard at him since his report. At the President's I met again Mr. Biddle, who immediately retired as I went in.

The President's message to the two Houses was ready, and he sent it in this day. The measures relating to Amelia Island, South America, and Spain are laying the foundation of a new system of opposition to the Administration, with Clay at its head. Crawford told me the other day that Clay, Saturday evening before last, being gay, and warm with wine, told him he meant to follow up his attack, and added, "And I'll beat you, by ——!" But a day or two afterwards he came to him cool, and said he was very anxious to avoid collision if possible, and proposed to make merely an appropriation for a Minister to Buenos Ayres.

I read to the President Judge Toulmin's letter, and some other papers indicating the purpose of McGregor's project against the Floridas, and requested him to make a memorandum of the points to be proposed in my reply to Onis's notes. He asked me to send him an extract from Erving's instructions relative to the boundaries, which I did. He afterwards sent me a note, advising me to see Onis to-morrow and show him the indications of McGregor's projected expedition against the Floridas and Judge Toulmin's letter.

Mr. Aguirre came this day at two o'clock, and urged again for answers to his demand for the acknowledgment of the Government of Buenos Ayres. He also said he came to tell me that the commerce between this country and that stood merely on the footing of the will and pleasure of his Govern-

ment; that they had opened their ports without limitation, and might shut them again when they saw fit. It was therefore proper that some fixed agreement on the subject should be made. He also entered into a long statement of the transactions between the Government of Brazil and that of Buenos Ayres on the Brazilian occupation of Montevideo and the Banda Oriental. They had interdicted all intercourse between Buenos Ayres and the Brazilians, but without declaring war. He also spoke equivocally of Artigas, intending evidently that I should understand him as meaning that Artigas was a General of Buenos Ayres. I therefore asked him distinctly whether it was so, and whether Artigas acknowledged the Government of Buenos Ayres.

He said, No; but that Buenos Ayres claimed the whole Banda Oriental, and, he *thought*, would never relinquish it.

I asked him if he was instructed by his Government to give me the intimations about shutting their ports. He said, No.

I told him that as they were of a serious nature, I wished him to give them to me in writing; that if Buenos Ayres was to be viewed as a Colonial Government, its ports might, by the usages of European nations, be shut to all nations but the mother country; but as an independent nation, by the customary law of nations, they could not shut their ports to other nations, and still less to one particular nation, without a cause; that we had opened our ports to their flag, and certainly should not shut them without a special cause.

He said the opening of our ports to their flag was no benefit to them. They were not a maritime nation, and had neither ships nor seamen. They had issued commissions for privateers to annoy their enemy, but none of them were owned by their own people, and it would be no injury to them if our ports should be shut against them.

14th. Met and spoke to Mr. Bagot this morning on my way to the President's. He asked me if it was the intention of the President to communicate to Congress the letters which had passed between the Secretary of State and him (Bagot) containing the arrangement concerning armaments on the Lakes, which he said was a sort of treaty. I spoke of it to the Presi-

dent, who did not think it necessary that they should be communicated. It has been usual heretofore with the message at the opening of the session of Congress to send a collection of documents with it relating to the principal subjects mentioned in it. This was not done at the present session, and some inconvenience has resulted from the omission.

Mr. Onis came to the office at half-past two, and I had an hour's conversation with him upon our negotiation. I showed him Judge Toulmin's letter, and that of the Governor of Pensacola to him, the recruiting advertisement in the name of McGregor at New Providence, and told him we had other evidence of his design to attack the Floridas in the spring. I mentioned also the hostilities of the Seminole Indians upon our frontiers, probably connected with the same plan, and I urged that if we should not come to an early conclusion of the Florida negotiation, Spain would not have the possession of Florida to give us.

He said he knew of the letter from the Governor of Pensacola; that the pirates might possibly take that place for a short time, but would certainly be soon driven from it, and certainly would not get St. Augustine; at least he did not believe they would. They had been subdued in Mexico and New Granada, and would be soon subdued in Buenos Ayres and Chili; that as to the Seminole Indians, there were two divisions of them, one living in Florida, and the other within the territories of the United States; that those now in hostility with us were our own Indians, and not those of the Spanish dominions. He asked me why we had suffered the pirates at Amelia Island to carry away their booty. I told him because we had no competent jurisdiction for trying whether it was theirs or not.

He finally desired me to make these statements to him in writing.

15th. The President sent yesterday his message to Congress on the taking possession of Amelia Island. This morning he gave me a memorandum for a note to Mr. Onis, in answer to three received from him.

16th. I made the draft this morning of a note to Mr. Onis, in answer to his three long ones upon the negotiation, and at the

same time I took the opportunity to say something in answer to his two notes upon the occupation of Amelia Island. This I did because, having several times intimated to the President the necessity of giving some answer to those notes, he has always said that his message would be an answer. My draft, therefore, this day, was merely a note of references, and, with some slight alterations, was approved by him.

19th. At the President's this morning I found Colonel P. Reed, of Maryland, now a member of the House of Representatives, and formerly one of my colleagues in the Senate. He was recommending paupers for office. It is one of our misfortunes that all the places under the Government are bestowed upon people of this description, men whose wants are their principal, if not their only, qualifications.

When Colonel Reed withdrew, I found the President was much agitated by a report in the Baltimore newspapers of the 16th and 17th, announcing a letter of the 7th instant, from Savannah, stating that advices had arrived there, by letter and otherwise, from the Havanna, that all the American vessels there had been detained on the news of the capture of Amelia Island by the American troops. He appeared alarmed at the idea of a war with Spain, backed by the allied powers; observed that our squadron in the Mediterranean would be exposed, and that there was no sufficient cause for us to go to war with Spain. He asked me what I thought was to be done, and, without expressly alluding to it, evidently appeared to regret that he had not, as he had inclined, ordered our troops to withdraw from the island when the pirates were removed. This incident is, in truth, an untoward one, and therefore most likely to be well founded.

The President sent to ask me to call at his house on my return from the office, which I did. He came out to me from his dinner. It was from a second account of the news from the Havanna. He had read it in a Charleston newspaper that three officers had arrived at Amelia Island from the Havanna demanding its surrender, and that in the mean time all the American vessels at the Havanna, amounting to two hundred, were embargoed. The number, he said, must be an exaggera-

tion; there could not be more than twenty or thirty. But what was to be done? would it not be best to write immediately to Onis? We could not for a moment parley with a subaltern like the Governor of the Havanna. The negotiation with Onis, he considered it as certain, would fail. But this event would immediately change the state of our relations with Spain, and bring us at once into war.

I told him if the account was true, it could not fail to come officially within two or three days, and I thought it best to wait till then before coming to any resolution or taking any notice to Onis of the newspaper report. To this the President agreed, and he appeared more calm on the subject than he had been this morning.

20th. Calling as usual at the President's, I found him quite cool and easy upon the subject of the supposed news from the Havanna. I asked him if he had observed the dates mentioned in the Charleston newspaper; he had not, but he had seen a newspaper of a later date, which said nothing on the subject, and was now convinced the report was without foundation. My own uneasiness was not entirely removed; for, although I saw the paragraph afterwards, and found by its date, at St. Mary's, of 3d January, it must be groundless, as dispatches from our commander at Amelia Island of that same day have been received; yet, as the report may be only the precursor of the fact, I shall yet be anxious to hear the first real news from the Havanna.

At the office I had visitors; Mr. Middleton, who came to make further enquiries concerning the affairs at Amelia Island, particularly as to commissions for privateering granted to our citizens by McGregor and Aury, upon which I gave him the fullest proof. He expects a violent attack upon the report of the Committee in the House.

General S. Smith had a letter from his partner, Mr. Buchanan, referring to a packet sent by him to the Department of State, and which I received by this day's mail. It was a commission for a privateer, with commissions for a captain, four lieutenants, and six prize-masters, all with the names left in blank, from the Buenos Ayres Government, sent by T. L. Halsey, the Consul

there, to De Wolfe, at Bristol, R. I., with a recommendation if he did not think fit to use them that he would send them to Smith and Buchanan, at Baltimore. De Wolfe sent them accordingly, and Buchanan sent these documents to the Department of State. In his letter to General Smith he expressed himself with great indignation at this attempt upon the honor of the house.

Mr. Hyde de Neuville came, principally to tell me, informally, that to-morrow there would be, at the Catholic church, the anniversary funeral service for the death of Louis XVI.; that he had last year invited Mr. Monroe, who did not attend, and had observed that there were certain circumstances in the feelings and sentiments of people in this country which might make his attendance improper. De Neuville said he was aware of this, and if I was of the same opinion I could consider his invitation as "non avenu," as if he had said nothing to me. I said nothing to him in answer to his invitation, though I determined to go.

21st. Attended at the Catholic church the funeral service for Louis XVI. We sat in the same pew with Onis, the Spanish Minister. The mass was short, but there was a funeral oration read by the priest from the text, Eccles. i. 2, "Vanity of vanities; all is vanity," the most extraordinary composition of Jacobinism, heresy, and priestly doctrine that I ever heard. All the foreign Ministers and their legations were present, and all their gravity could not restrain some of them from laughter. At the President's, I found him relieved from all concern about the news from the Havanna, and expecting offers from Onis that will be acceptable.

22d. My wife received this morning notes from Mrs. Monroe, requesting she would call upon her this day at one or two o'clock, and she went. It was to inform her that the ladies had taken offence at her not paying them the first visit. All ladies arriving here as strangers, it seems, expect to be visited by the wives of the heads of Departments, and even by the President's wife. Mrs. Madison subjected herself to this torture, which she felt very severely, but from which, having begun the practice, she never found an opportunity of receding. Mrs.

Monroe neither pays nor returns any visits. My wife returns all visits, but adopts the principle of not visiting first any stranger who arrives, and this is what the ladies have taken in dudgeon. My wife informed Mrs. Monroe that she should adhere to her principle, but not on any question of etiquette, as she did not exact of any lady that she should visit her.

Mr. Aguirre came, and asked me to return his two commissions as agent for Buenos Ayres and Chili. He had left the original commissions themselves at the office. They were now returned to him, copies having been taken of them. He now explained to me the motive for his verbal statement to me at a former conference of the manner in which his Government had considered the occupation of Montevideo by the Portuguese, and which, at my request, he afterwards repeated in a written note. It was with a view to the transactions of the United States at Amelia Island; that his Government, though including in its Declaration of Independence only the Provinces which had constituted the Vice-Royalty of La Plata, considered that it could not be indifferent to the transactions of any foreign power regarding any part of the former Spanish possessions in America, South or North, because the occupation of any part of them by one power might occasion the interposition of other European powers in a manner injurious to his country.

I asked him if, before the departure of Mr. Rodney and Mr. Bland, he had had some conversation with them on the subject of our occupation of Amelia Island. He said he had; that he had told them the adventurers who had taken possession of that place never had any authority from his Government whatever; that he thought the Government of the United States were fully justified in breaking them up, and that he was assured it would be considered in the same light by his Government. But since then he had been induced to consider it in a more enlarged point of view, and with that impression had communicated to me the proceedings and principles of his Government on the invasion of Montevideo by the Portuguese.

I asked him whether he knew that the former agent from Buenos Ayres, Tompson, had been dismissed from his agency by the Supreme Director Pueyrredon for having transcended

his authority in granting commissions. He said certainly not, and it was not so.

I showed him the letter from Pueyrredon to the President, declaring the revocation of Tompson's commission. I then told him that as the views he now presented of the manner in which his Government might view our proceedings at Amelia Island were entirely different from those which he had taken in conversation with Messrs. Rodney and Bland, if it was so that the Government of Buenos Ayres considered themselves as having a superintendency over all the Spanish Provinces in both continents of America, I should request him to make this communication to me in writing, for it was fitting that distinct and explicit notice of it should be given to the Government of the United States. We should regret exceedingly that his Government or country should view our transactions at Amelia Island as implying or intending anything unfriendly to them or to their cause. We were as friendly to them as we could be compatibly with our engagements of neutrality. But if by our proceedings at Amelia Island, or in the Floridas, we were to be considered as interfering with the interests or policy of Buenos Ayres, it would be proper that we should have previous notice of those pretensions, that we might regulate our own policy accordingly.

He said he could not give anything on the subject in writing; that his observations had been merely his own, without authority from his Government, and that he had no right to speak in any public capacity other than that of agent to the Government of La Plata. He added that he proposed going to-morrow to Baltimore to pass a fortnight, and should proceed from thence to New York, where he should remain at my commands, if I should have anything to communicate to him, until the spring.

W. Lee came to tell me that to his utter amazement he last evening saw Galabert go into Onis's house; that he had not seen him since, but would see and ask an explanation of him.

Mr. Calhoun called at the office with the papers concerning the question about the remission of militia fines in Pennsylvania. He wishes the opinion of the Attorney-General to be taken upon it. Calhoun spoke also of the negotiation with Spain,

and expressed a strong aversion to any concession with regard to the boundary west of the Mississippi.

Dined with my wife at the Chevalier Onis's; all the Corps Diplomatique were there, and Mr. Biddle, of Philadelphia. Onis told me he should reply to my note to-morrow or the next day, but asked me which I meant of three rivers in Colorado for the boundary. Hyde de Neuville talked with me more than an hour, urging that we should settle our affairs with Spain, flattering and cajoling me.

23d. At the President's, I found him anxious to receive Onis's reply to my last note. At the office, W. Lee came and told me that he had demanded of Galabert an explanation of his going into Onis's, and received a very imperfect one. He had written from Philadelphia to Onis, telling him that if he could be furnished with the means of coming here he could make communications which would be useful to him. Upon which he sent him a hundred-dollar bill. He had therefore come and made his communication, but would not tell Lee what it was. He said he had asked of Onis a passport to go to Mexico, which Onis had not given him, but took it into consideration, and told him to call again. But Galabert had received a letter from Joseph Bonaparte, urging him not to enter into the wild and extravagant projects of these French fugitives, and offering him the means of settling himself in Pennsylvania. Lee says that he saved Galabert's life at Bordeaux, but that the intriguing ways of a Frenchman are past all finding out.

27th. Mr. Bagot came to my office according to appointment, at one o'clock, and, by order of his Government, made an offer of their mediation to settle the differences between the United States and Spain. This offer was accompanied with many professions of a friendly disposition towards the United States, and many intimations of no good harmony subsisting between Great Britain and Spain. He read to me an extract from a dispatch from Lord Castlereagh to him referring to his conferences with me before I left England; to his belief that he had convinced me of the frankness and candor with which he had disclosed to me the whole policy of the British Government at this time, and that it was bent upon nothing so earnestly as upon the preserva-

tion of universal peace; that he had derived great satisfaction from the assurances given him by me of the same disposition on the part of the American Government, and on my own part personally; with many flattering compliments to me, which Bagot, after reading to me, said he believed he ought not to have done. He also read to me in confidence a copy of a dispatch from Lord Castlereagh to Sir Henry Wellesley, the British Ambassador from Madrid, dated 27th August last, and being an answer to a dispatch from him, with which a note from Pizarro, the Spanish Minister for Foreign Affairs, asking for this mediation of Great Britain, had been forwarded—and Pizarro had made an extended statement of the subjects of dispute between Spain and the United States. Castlereagh answers, that before the Prince Regent could definitively answer this proposal he must know much more of the subject than he could from Pizarro's statement, however extended, and also that the mediation was desired by both parties. At the same time he complains in very angry terms of certain restrictions upon the British commerce in Spain, and hints that unless they are removed England will not act as a mediator between Spain and the United States. This letter Mr. Bagot allowed me in confidence to take and show to the President, on condition that it should not be otherwise used.

At the same time he read me another part of his dispatch, relating to South America, explicitly declaring that if Great Britain alone, or the allied powers jointly, should interpose between Spain and the South American Provinces, the system recommended and urged by Great Britain would be one of perfect liberality to the Provinces—a system which would open their ports and their commerce to all nations, including the United States, and in which Great Britain would neither ask nor accept any exclusive privilege for herself—and adding that this subject was now in negotiation among the allied powers.

I told Mr. Bagot that I must, of course, refer the subject to the consideration of the President, who I was sure would receive the communication as a proof of a friendly disposition in Great Britain. I desired him to thank Lord Castlereagh for

the kindness and confidence in me expressed in his dispatch, and with the full promise of my hearty concurrence in the good work of preserving universal peace. As to the mediation, the only objection I could anticipate to it was, that Great Britain had heretofore taken some part with Spain on the very points now in controversy.

He said that whatever may have been the feelings or policy of the British Government under different circumstances and at another period, if she should now assume the character of a mediator, it would be with perfect impartiality, and solely with a view to conciliate the parties to each other. Abstractly speaking, it might be more agreeable to Great Britain to have a weak neighbor than a strong one, but she must accommodate her policy to the nature of things, and she was sincerely desirous of maintaining the best understanding with this country. He had told Onis, the Spanish Minister, yesterday, that if the interposition of Great Britain should be desired by this country, he must not expect that she would support Spain in any extravagant pretensions. He also told him that he should make this communication to me this day. Bagot also told me that McGregor had, when he was here, called upon him, and told him that Dr. Thornton had sent him. He told him that he was going to take Florida, and asked him what the opinion of the British Government upon it would be. Bagot told him he could give him no answer to that question, and could say nothing about it. Bagot afterwards asked Thornton if he really had sent McGregor to him, and he admitted that he had.

28th. At the President's met Mr. Crawford. The dispatch from Lord Castlereagh to Sir Henry Wellesley was read, and the communication from Mr. Bagot to me concerning a British mediation discussed. Crawford said it was a "maladresse" of Bagot to show me that letter of Castlereagh's. The President and he were evidently averse to the acceptance of the mediation. The President directed the translation of Onis's note to be sent to the other heads of Departments, and appointed the day after to-morrow for a Cabinet meeting and consultation upon the whole subject.

31st. There was a full Cabinet meeting at the President's on the question what answers shall be given to Mr. Bagot's proposal and to Mr. Onis's last note, in connection with which were considered the question of South American independence and the transactions at Amelia Island. The sentiment against accepting the mediation was unanimous, but more earnest in all the others than in me. I had doubts whether we should ultimately be able to avoid European interference in this affair, and therefore whether we ought now absolutely to decline that of Great Britain. The determination, however, was positive to decline, and the only question was upon what grounds we should decline. The President and Mr. Crawford suggested the ground that our differences with Spain were not such as to threaten a war—they were of little comparative consequence, and we had no intention to push them to a war. But Mr. Calhoun remarked that if we should take this ground, and Spain should be very urgent for the mediation, it would be a temptation to her to commit some act of hostility to make the mediation necessary. The President and Mr. Crawford also inclined, while rejecting the mediation, to make a statement to the British Government of the merits of our case, in answer to that sent them by Pizarro. I objected that if we gave any statement of the merits, it would give a plausible pretext to the British to reply, and go deeper into the case. I suggested the idea of answering, with thanks for the friendly manifestations of Great Britain, and the strongest assurances of their being reciprocated, that we were obliged to accommodate our measures to the public feelings of the country; that our controversies with Spain, though not of the first rank in importance, had a strong hold upon the popular sentiments; that to refer them to any interposition of a third party would certainly be disapproved by all parties in this country, and have the tendency to create ill will between this country and England, which we were very desirous of avoiding.

This was agreed upon as the principle to be assumed for declining, and the President desired me to make a minute in writing, to be shown him on Monday, of the substance of what should be said to Mr. Bagot. It was also agreed that the next

reply to Mr. Onis must be longer, and more particular, than the last. It was four when the meeting broke up.

*February* 1st. I received a visit from Mr. Bagot to enquire if I should probably have an answer to give him on the mediation proposal, so that he can send it by the packet which is to sail from New York next Saturday. I told him I thought I should be able to answer him the day after to-morrow, and asked him to call then at my office at one, and he promised he would.

He asked again about the proposition concerning the fisheries. I told him I feared we should not be ready for that, as we had not yet our answers from the interested parts of the country. He said if we waited for their consent we should never be ready. We also had a long conversation upon the South American affairs, concerning which, he said, he had forgotten to tell me that Lord Castlereagh had written to him that he should be enabled to make me a confidential communication upon the subject very shortly.

3d. Mr. Bagot came to the office at one, and I gave him the answer to the Spanish proposal for British mediation—declining it upon the grounds stated in the memorandum which I drew up and read at the President's yesterday. Bagot professed to be very well satisfied with the reasons which I gave him for declining, the principal of which was the tendency which we apprehended it might have to excite ill will and irritation in the minds of our people against Great Britain herself. I touched as lightly as I could, but very explicitly, on the opinion against us so recently and repeatedly expressed by the British Government. He said that although we declined the mediation, if there should occur any occasion upon which Great Britain could do any good by throwing in a word, his Government would be happy to do it.

4th. At the President's I met Crowninshield. The President was alarmed at a new report which he told me had been communicated to him by Mr. Astor, that the Amelia Island adventurers intend to cruise in the track of our returning India ships to make prize of them. In the moment of agitation at this rumor the President had written me a note concerning it, to be

communicated to the Secretaries of War and the Navy. I consider it as a counterpart to the embargo at the Havanna. Yet every such report requires attention so long as it may be true.

7th. At the President's I met Crowninshield. B. Irvine came to the office, and brought translated extracts from letters of Carrera to him concerning South American affairs. He told me that Dr. Rous with Laborde was here, and Pazos from Amelia Island, who had asked him when and how he could transmit a memorial to the President, which would be in respectful language. I told him it might at any time be sent to me, and I would immediately lay it before the President. I had sent for Dr. Thornton, who came at one o'clock. He had stated in a publication signed "A Columbian," in the National Intelligencer of 7th January last, that McGregor had told him last June it was the intention of the patriots to take the Floridas from Spain and sell them to the United States for a million and a half of dollars, and that he had communicated this to a member of the late Cabinet. I asked him who this was; he said Mr. Rush. I then asked him to give me in writing the substance of his conversations with McGregor and with Mr. Rush, which he promised me he would, and he entered into some general statements of his connections with South American patriots, which have been of long standing, and in his view very important.

11th. At the President's. I read to him a draft of part of an answer prepared to Onis's note, and which I propose to make a review of the whole controversy between the United States and Spain. The President approved what I had written, and directed me to continue it. In the evening Everett called and went with us to Mrs. Monroe's drawing-room. A message from the President to Congress concerning the furniture of his house,[1] published this day in the paper, produced a strange sensation, at which the President was somewhat affected, and spoke to me about it.

[1] The President's House had been burned with other public buildings by the British forces when they occupied the city during the war. It had now been rebuilt, but not suitably furnished for occupation by Mr. Monroe. Neither was the deficiency supplied by Congress for many years.

13th. Mr. Bassett came as Chairman of a Committee of the House of Représentatives on the Beaumarchais claim to examine papers. He said it had been reported at the Capitol that I had refused to see him, and sent him word I was engaged; but he had contradicted the report. It shows that I have watchful enemies at the Capitol.

Dr. Thornton came, and I told him the President had directed me to tell him that he disapproved altogether of his having acted as an intermediate between McGregor and Mr. Rush, and also of his having advised McGregor to go to Mr. Bagot; that he thought this interposition utterly incompatible with the duties of his office, and he should have given him to understand as much if he had been informed of these transactions at the time when they occurred, which he was not. The doctor expressed great concern that the President, for whom he said he had the highest respect, should have disapproved his conduct. He equivocated a little about his having advised McGregor to go to Mr. Bagot, but ultimately did not deny the fact. He said he was afterwards sorry for it, and had distrusted McGregor when he found he was gone to an English island.

I referred him to his publication of 7th January in the National Intelligencer, and the tone of censure upon the measures of the Administration relating to Amelia Island, and implying a charge even of duplicity in the Government on that subject. He affected to consider that publication as referring only to the acts of the United States naval officers there, and pretended that he had thought they were acting without orders from the Government.

I told him the President believed that he (Thornton) had greatly misunderstood what Mr. Rush said in the conversation referred to, and that a copy of his letter would be sent to Mr. Rush, with a request that he would communicate his recollections of it. He said he had no objection to that, but he was sure his statement was perfectly correct, for after drawing it up he had shown it to his clerk, Elliot, and asked him if it was not exactly conformable to what he had told Elliot at the time of what Mr. Rush had said; that Elliot fully confirmed it, and, if necessary, was ready to attest to it upon oath. The doctor

asked me if I thought the President would see him in person to explain to him the motives of his conduct. I told him I would mention this his wish to the President, and take his directions concerning it; that I would report to the President the explanations that he had now given me; that I should do it with a disposition friendly to him, but that in candor I ought to tell him that my impressions in regard to his conduct in this affair were the same as those of the President.

14th. I reported to the President this morning the substance of my yesterday's conversation with Dr. Thornton, and particularly his request to see the President to explain verbally his conduct to him in person. The President said he would not see him, nor have any conversation with him upon anything, unless it were patents, and very little upon them.

23d. I found the President unwell with a cold and cough. At the office I found a note from him mentioning that Aury's deputy, Pazos, had gone to him and penetrated to his cabinet. He referred him to the Secretary of State.

Dr. Thornton came to the office. I told him that I had reported to the President his explanations and his request for a personal interview, which the President had declined; also that his opinion had not altered of the impropriety of Thornton's conduct. The doctor first affected to consider it as referring only to his publication of 7th January in the National Intelligencer; said he had been reading it over, and did not see that there was anything in it offensive to the President, to whom it was very respectful.

I told him the President's disapprobation was of his transactions with McGregor, and then with Mr. Rush, and his advising McGregor to go to Mr. Bagot. He denied the fact. I told him I had it from Bagot himself. He then said he did not advise McGregor to go and see Bagot to talk with him about Florida, but as a Scotchman, because his family estates had lately been restored to him, and he had a great distrust of McGregor as soon as he had heard he had talked with Bagot about the Florida project.

24th. At the President's I met Crawford. There is to be a Cabinet meeting about Pazos's papers. While I was at the

office, the President sent for me to call at his house again. It was to ask me to call to-morrow morning for the selection and arrangement of the papers to be communicated to Congress respecting the South American Independents.

26th. The President read and returned to me the draft of a letter to Onis with some alterations, and he advised me to show it to the other heads of Departments for their advice and remarks upon it. I took it, with the translation of Onis's notes, to which it replies, to Mr. Calhoun, who promised to read and return it to-morrow morning.

27th. Morning visit at my house from Mr. Onis, the Spanish Minister. He came to ask for an answer to his late note concerning Don Diego Murphy, who, while acting as Spanish Vice-Consul at New Orleans, was assaulted and beaten by a Frenchman, whom the District Attorney here refuses to prosecute. Onis complained, also, that his own house had been of late repeatedly insulted—windows broken, lamps before the house broken, and one night a dead fowl tied to the bell-rope at his door. This, he said, was a gross insult to his sovereign and the Spanish monarchy, importing that they were of no more consequence than a dead old hen. But if Spain was weak, it was ungenerous to insult her weakness, which was owing to the unparalleled efforts she had made for the deliverance of all Europe from tyranny. I told him I hoped it was nothing more than the tricks of some mischievous boys.

He said he had long been willing to think so, but was now convinced they were deliberate outrages of the South Americans now here. He was sure that no people of the United States, and no person of this country, had any agency in them. He also requested me, as the papers of our late correspondence were to be communicated to Congress, that he might previously see the translation of his notes made at my office, that he might be satisfied of their correctness, an indulgence which Mr. Monroe had granted him on a former occasion.

I told him I should readily comply with his request, as I was very desirous the translations should be such as he himself would approve. I added, that, setting aside our official characters, I would tell him that I had directed the translations of his

notes to be compared with the pamphlet of "Verus," and made conformable to it. This "Verus" is a pamphlet which he has lately published containing the whole substance of his three long notes to me, with some additional passages insulting to the American Government, which he dared not put into them. He stammered something about "Verus" not being a translation which he approved, but did not disavow the publication.

I told him I should shortly send him a long and full reply to his notes; that we regretted he had forced us again into this endless and useless discussion, but that my answer to him would be complete upon every point. This led us into a long conversation upon all the topics, in which his principal refuge was to the "uti possidetis" of 1764.

At the President's I met Mr. Calhoun, who returned my draft of a note to Mr. Onis, proposing some erasures. He afterwards called at the office, and made some further observations. The President had sent yesterday to the office to ask me to call as I should go home; but it escaped my memory. He sent me this morning a note directing me to add a new paragraph to the note to Onis concerning Amelia Island, promising to surrender it when the danger of its being reoccupied by adventurers shall cease. He told me this morning that he had given this direction in consequence of a conversation yesterday with Mr. Barbour of the Senate, who told him it would be necessary to satisfy the friends of the Administration, many of whom did not consider the occupation of the island as warranted by the law of 1811.

Mr. V. Pazos, the man from Amelia Island, came to my office to ask an answer to his memorial and papers from Aury. He asked me if Commodore Porter had spoken to me of him. He had not. He complained of being here at heavy expense. I told him that his papers were under the consideration of the President, whose determination upon them I would make known to him as soon as possible. I took the draft of my note to Mr. Onis to Mr. Crawford for his perusal and remarks.

Mr. Correa, the Portuguese Minister, spent an hour with me this evening. He has just returned from a visit of ten days to Philadelphia. He says that the negotiation between Spain and

Portugal, at Paris, will probably end in nothing; that Russia sides with Spain, but lately Great Britain sides with Portugal; and he added his belief that when the Russian Minister arrives here, we shall find him siding also against us.

28th. I made a draft of an additional paragraph for the note to Mr. Onis according to the President's directions, and concerning Amelia Island. At the President's I found Mr. Calhoun. On reading the new paragraph, some alterations were directed. Mr. Crawford returned the draft of the note to the office without any remarks. I took it to Mr. Crowninshield, who read and returned it to me, proposing several alterations and erasures, which were accordingly made.

I had at the office Mr. Hyde de Neuville, and afterwards Mr. R. King of the Senate. The Minister came to renew applications for the restoration of a French vessel taken by Aury and carried into Amelia Island, where it now is; for a right of Frenchmen to pay in Louisiana no other or higher duties than the most favored nation; for a reduction of the duties on French wines. What was he to do? The French vessel was there at Amelia Island; he was bound to take every measure for obtaining restitution. If the vessel was at sea, it could be retaken by a French frigate; but a French frigate could not come and take it at Amelia while in possession of the troops of the United States.

I told him that the process from the Courts of the United States did not extend to Amelia Island. Of course we could not try the question of French property or not unless the vessel should come or be brought within our jurisdiction.

Well, but what was he to do? He had been offered to have the vessel given up, for a trifle, but that was not consistent with the dignity of the crown. As to Aury, if they caught him they would hang him, for he was a subject of the King of France, and had thus been robbing French subjects of their property.

I told him that by refusing to receive restitution of the property on a principle of dignity he had been more scrupulous than Mr. Onis, who was very desirous of recovering a much larger property, taken in the same manner, by an accommodation. But if he must resort to Governments and jurisdictions

in this case, I could only refer him to the sovereign of Aury, who he told me was the King of France; or to the Governor of East Florida, of which Amelia Island was a part. As to the pretension that the French should be admitted into the ports of Louisiana upon a footing different from that of other nations, I should receive with due consideration anything that he might think proper to write me on that subject, but our principles were so settled, I did not think any alteration could result from it.

He hinted that he could bring a very strong argument to bear against us upon that point, but intimated that if we would be more compliant with regard to the wines, that might reconcile his Government better to the refusal in the other case. I told him that the President, the Secretary of the Treasury, and myself were all in favor of his wish in respect to the diminution of the duties upon French wines, and he desired me to see and converse with Mr. Lowndes, the Chairman of the Committee of Ways and Means, concerning it. He also enquired if I had yet any answer from the Governor of Georgia about the Frenchmen drawn as militia-men at Savannah. I had not.

The conversation that I had with Mr. King was of a general nature, upon the state and prospects of our political relations with all the European powers, particularly Spain and England. He gave me no particular intimation of his own views upon these subjects, but I inferred from the tenor of his conversation that he did not disapprove the course which the President has determined to pursue.

*March* 2d. At the President's I met Mr. Crawford, and enquired if he had any remarks to make on my draft of a letter to Mr. Onis. He said he had some, but had reserved them for the general Cabinet meeting, at which he had expected it would be considered. The President had told me it would be sufficient to give it separately to each of the heads of Departments for examination and remark, without submitting it to a Cabinet meeting. Now, however, he directed a meeting for that purpose, to-morrow at noon, and, at my request, the answer to be given Mr. Pazos is also to be then considered.

3d. I went to the President's at noon, where there was a full Cabinet meeting. My draft of a note to Onis was read and

discussed; many further alterations suggested, many passages struck out, and one considerable omission noticed by Mr. Crawford. It was on a topic which had been so completely discussed at Aranjuez that I had omitted it merely to avoid useless repetition. But Mr. Crawford thought that this paper ought to contain a complete exposition of our whole controversy with Spain, and that no essential part of our argument ought to be omitted, even if it was contained in previous papers. I acquiesced in this opinion, though the President thought that the addition of one or two sentences would be sufficient. There was also some consideration about the answer to be given Mr. Pazos, and it was finally determined that I should draft a written answer, to be considered by the President.

5th. Mr. Walsh[1] sent me another paper that he has prepared on the affair of Amelia Island, and afterwards called himself. There were several passages which I thought questionable, and which he will publish or omit, as he thinks proper. He gave me to understand before he began them, that he intended to write and publish on the subject in support of the President's measures, and has sent me all the papers in manuscript before they were published. I have marked a very few passages in the former papers, and several in this one, as taking views of the subject different from mine. He has hitherto altered or omitted the passages which I have marked.

6th. Mr. Correa spent an hour with us this evening, and told me that he had received instructions from his Government to make representations concerning the capture of three Portuguese vessels by these pirating privateers. He said there was a great mass of documents with them to which he should only refer, as being ready to produce them, if required, and he hoped a conciliatory answer would be given him—something about the *American* interests, to keep the mind of his King inclined to remain in America according to the system which was always maintained by the late Count de Baroa (Araujo). I

[1] Robert Walsh, one of the best writers of this period, afterwards for many years editor of the National Gazette, of Philadelphia, and subsequently Consul-General in France.

promised him as favorable an answer as I should be able to give on receiving the note.

12th. I called upon Mr. Calhoun, the Secretary of War. He thinks the vote upon the South American independence question in the House of Representatives will be very strong in support of the course pursued by the Administration. I am not quite so confident. The vote on Pazos's memorial yesterday was one hundred and twenty-four to twenty-eight. Sergeant asked me last evening if there would be any objection to a call from the House for the papers addressed by Pazos to the Executive. I mentioned it this morning to the President, who said he had no objection to communicate them at all.

17th. Found Mr. Crawford at the President's with Mr. Hay and Mr. J. J. Monroe. The President has a fever, and is confined to his chamber. We were again requested to postpone seeing him upon business till to-morrow. I had prepared a report upon the issue of the negotiation in the Netherlands, which the President had approved, and with which he was to have sent a message to Congress, but Mr. Crawford thought, upon consultation with General S. Smith, that it would be better to assume a broader principle, and offer the abolition of all discriminating duties to every European nation that will do the same. Mr. Crawford had made a draft of a bill to that effect, in three sections, which he showed to me, and afterwards to Crowninshield, who came in. We had some loose discussion upon it, to be resumed if the President can attend to business to-morrow. There was also some talk about the Society for the Colonization of Blacks, of which Crawford is a member, and Vice-President, and at which he laughed heartily. He told me that Clay was endeavoring to make my letter to Onis ridiculous, and that a tremendous storm would burst upon me about the affair of Amelia Island. Crowninshield had letters from Amelia Island, saying that Aury had left it with two vessels.

18th. Walking this morning to the President's, I met Mr. Bagot, who turned and walked with me. He told me that he had received letters from Admiral Milne, commanding on the Jamaica station, informing him that he had issued orders

similar to those of last year, to seize all American vessels which may be found fishing within the British jurisdiction, and that he could not take upon himself the responsibility of counteracting those orders. He had been promised a proposal from us ever since last May, and had received none yet.

I told him that the President's illness had prevented it; that upon full enquiry it had been found that we could not safely accept any particular limited bounds for fishing-grounds, because the fish resorted at different times to different places; that Lord Castlereagh had promised me he would direct certain statements to be furnished to us upon which we might have founded proposals, which was not done; that he should have counteracted Admiral Milne's order, because the Judge at Halifax had decided last year that those seizures were unlawful without an act of Parliament; that I was afraid we should have to fight for this matter in the end, and I was so confident of our right, I was for it.

He said the correctness of the Judge's decision was very doubtful; that Great Britain had gone as far in this affair to accommodate us as she could go, and he thought would do nothing further, &c. He thanked me for having set Mr. Onis right in my note to him about British mediation, and said Onis's statement of the case must have been a wilful misrepresentation.

At the President's, we saw him in his bed-chamber. Met there Mr. Crawford, who, upon reflection, has concluded not to press his bill for the repeal of all discriminating duties, but to leave it on the foundation of my report, and so that Congress, if they choose to go further, may do it of their own movement. The President asked me to draft a message for him to send in with my report.

Lee came to give me a hint on a very ridiculous affair, but which shows how I am situated. My office of Secretary of State makes it the interest of all the partisans of the candidates for the next Presidency (to say no more) to decry me as much as possible in the public opinion. The most conspicuous of these candidates are Crawford, the Secretary of the Treasury, Clay, the Speaker of the House of Representatives, and De Witt Clinton, Governor of New York. Clay expected himself

to have been Secretary of State, and he and all his creatures were disappointed by my appointment. He is therefore coming out as the head of a new opposition in Congress to Mr. Monroe's administration, and he makes no scruples of giving the tone to all his party in running me down. On the publication of the concluding part of my late letter to Onis, he went about the House of Representatives showing and sneering at a passage where it is said that the United States, after waiting thirteen years for justice from Spain, could, without much effort, wait somewhat longer. Clinton's party operate in another way. There was published lately in the National Advocate, a New York newspaper in opposition to Clinton, a letter purporting to be from an agent of Clinton's to another named Asahel Clark, and detailing a journey of intrigue in the State of Vermont to secure partisans in favor of Clinton. The letter is signed E. W. Robinson. Clark, who is a real personage, and now at Washington, has published repeated disavowals of having ever been engaged in any such transactions, and certificates that there is no such person in Vermont as E. W. Robinson. The letter appears, therefore, to be a forgery, and the Clintonians turn it back as a battery against the National Advocate and its editor, M. M. Noah.

Lee's visit to me was to tell me that it was whispered about that Noah had received a letter franked by me, and that it was to advise him to say no more about the Robinson letter. The remarkable part of this affair is that Noah did actually receive lately a letter from me, which was to call upon him to refund to the Government of the United States a sum of one thousand dollars, which Noah, upon being recalled from Tunis as Consul of the United States there, had left due for two years' house-rent, and which Mr. Shaler, upon his late visit to Tunis, found himself bound to pay from the public moneys.

On these facts, I observe three things: 1. The espionage of Clinton's partisans, discovering the fact that Noah had received a letter franked by me.

2. Their suspicious inference that a letter to Noah, franked by me, must relate to the Robinson letter.

3. Their policy in circulating a report founded on this false

inference, that I am intriguing underhandedly against Clinton, and had some concern in the publication of the Robinson letter.

Of Crawford's rivalry I have yet had no other evidence than what has seemed to me a sort of effort to differ from me in opinions concerning the important measures to be pursued by the Administration, and a disposition to impress upon my mind every particular of Clay's operations against me.

When Everett was here, he asked me if it would not be advisable to expose Clay's conduct and motives in the newspapers, to which I answered very explicitly in the negative. He also asked me if I was determined to do nothing with a view to promote my future election to the Presidency as the successor of Mr. Monroe. I told him I should do absolutely nothing. He said that as others would not be so scrupulous, I should not stand upon equal footing with them. I told him that was not my fault—my business was to serve the public to the best of my abilities in the station assigned to me, and not to intrigue for further advancement. I never, by the most distant hint to any one, expressed a wish for any public office, and I should not now begin to ask for that which of all others ought to be most freely and spontaneously bestowed.

Mr. De Neuville's visit was to speak upon various subjects concerning which he has written to me—Lawrence Haff, Le Gros, the French vessels carried to Amelia Island, but especially the expedition of the Lallemands, who, he says, have arrived at New Orleans, and of their associates, who have landed at Galveston. He says Onis has protested to him upon his honor that he knows nothing of them or their project.

I told him he might rely upon it that Onis did know something of them. He said that as they were Frenchmen, and most of them might return to France if they chose, it would be equally displeasing to his Government whether their projects were against the United States or Spain.

Mr. Sergeant spent a couple of hours with me this evening. The subject of the Neutrality Laws is before Congress. Mr. Clay pushes for the repeal of laws which trammel the means of giving aid to the South American revolutionists, and there is no member of the House of Representatives friendly to the

Administration who has spirit and ability and mastery of the subject adequate to withstand him. The federalists hitherto have taken little or no share in the debate.

21st. Mr. Walsh called upon me this morning; he proposed to me to write further on the South American and Amelia Island questions, but his views do not exactly accord with mine. He is one of the ablest and most powerful writers in this country, but, like many other ingenious men, has annihilated his own influence by the prejudices that he has adopted and maintained.

22d. Mr. Forsyth, Chairman of the Committee of Foreign Relations, called upon me. He came to ask for the Committee a communication of the papers that have passed relative to the proposed mediation of England between the United States and Spain, and also of what passed between Lord Castlereagh and me respecting Florida. Forsyth told me the Committee had it in contemplation to propose a bill authorizing the President to take possession of East Florida, and asked me if I should have any objection to it. I told him, personally, none. If Congress chose to assume that attitude with Spain and encounter its responsibility, so far as I should have to share it as a member of the Administration, I was prepared for it. "But," I added, "for the sense of the Administration, you must ask the opinion of the President, not mine. I believe the President's opinion is not in favor of that measure." He said he had seen the President, and found him averse to it, but he should nevertheless be disposed to present it.

The Chairman of the Committee of Foreign Relations has always been considered as a member in the confidence of the Executive, and Mr. Forsyth acted thus at the last session. The President has hitherto considered him as perfectly confidential, and directed me to communicate freely to him the documents concerning foreign affairs, particularly those with Spain, which I have done. Early in the course of the session of Congress I observed a paragraph circulating in the newspapers, intimating that the Chairman of the Committee of Foreign Relations was destined to a mission abroad, and Prussia was specially named as the Court to which he would be ac-

credited. Mr. Clay, who has been marshalling his forces for a system of regular opposition to Mr. Monroe's Administration, in sneering hints and innuendoes, has been continually stinging Forsyth, as if he were a dependent tool of the Executive. Forsyth is a man of mild, amiable disposition and good talents, but neither by weight of character, force of genius, nor keenness of spirit at all able to cope with Clay. He has suffered himself to be goaded by Clay not only into disavowals of any subserviency to the views of the Executive, and to declarations in the face of the House that he did not care a fig for the Administration or any member of it, but into the humor of proposing measures which the President utterly disapproves. From mere horror of being thought the tool of the Executive he has made himself the tool of Clay's opposition. To manifest his independence he has given broad hints of an intention to propose measures of actual hostility against Spain, and now is so far committed that he cannot withdraw from them.

I told him that nothing had passed in writing on the subject of the mediation, but that, if it was desired, the substance of my conversations with Lord Castlereagh would be communicated to the Committee.

I had some conversation with Mr. Hyde de Neuville, in which (as he began to talk about the hatred of the people of this country to the House of Bourbon) I told him we knew that at the first restoration of Louis XVIII. there had been a deliberation of his Council whether they should not declare war against the United States. Mr. De Neuville appeared to be much offended at this, and, in going away, marked it so strongly that Walsh was much struck with his manner, and spoke to me of it. I made light of it. De Neuville is a man of quick passions and humors, rather sudden than lasting.

23d. On calling this morning at the President's, I found him in great agitation at having learned Forsyth's intention to bring forward the motion for authorizing the President to take possession of East Florida. He had but just learned the sallies that Forsyth has indulged himself in before the House of Representatives to show his independence of the Executive. He had requested Mr. Crawford to see Forsyth and dissuade

him from his proposed motion. Mr. Crawford came in while I was there. He had been with Forsyth, but without success. But Crawford said the other members of the Committee of Foreign Relations would not support Forsyth. The President desired him to see Mr. Barbour, who is one of the members of the Committee, and request him to call at the President's this evening. He said Forsyth's project would be war, and if such a bill should be presented to him by Congress, he would not sign it: he should prefer of the two to acknowledge the independence of the Colonies.

24th. Mr. H. Nelson, of the House of Representatives, came to the office to enquire if the messages to Congress, with the documents relating to South America, and those relating to Amelia Island, were ready to be sent in, and was exceedingly urgent that they might be sent to-morrow by twelve o'clock, because Mr. Clay was to make his motion and speech to-day. He (Nelson) had asked Clay to postpone it for one or two days for the documents to be sent in, but Clay had refused.

Mr. Clay came out this day with part of his great opposition speech. He moved, in the General Appropriation bill, an appropriation of eighteen thousand dollars for an outfit and a year's salary for a Minister to the Government of Rio de la Plata. This was merely a mode of proposing a formal acknowledgment of that Government. He spoke upon it this day about an hour, and is to finish his speech to-morrow.

25th. This morning I received a note from the President, requesting me to call upon him and assist him in collecting the papers to be sent in with his messages. I went accordingly, and, after stopping a few minutes at his house, proceeded to the office, and sent him the papers for two messages to Congress, the one relating to South America, and the other supplementary documents relating to the occupation of Amelia Island. Two other messages were also sent in this day—one concerning the Seminole war, and the other upon the expenses of the Ghent Treaty commissions.

Mr. G. W. Campbell, a Senator from Tennessee, came to the office, and had some conversation with me concerning the

South American questions, and the Neutrality bill; but we were interrupted, and he told me he would call another day.

26th. At the President's I met Crawford. He and Crowninshield want to order one of the public armed vessels into Chesapeake Bay, to be on the watch against smuggling and those piratical privateers; but they are afraid of incurring the odium of opposing the patriots, and so Crawford had the notable project of procuring from me a demand that the admission of foreign armed vessels should be confined to certain ports. This was merely and avowedly to procure my signature to be shown in public, as responsible for the measures adverse to the South American patriots. I met yesterday in the Avenue Hyde de Neuville and Ten Cate. Hyde affected not to stop and speak to me.

27th. I received yesterday a French note from a person calling himself Joseph Antinori, requesting me to appoint a time when I could receive him, for which I appointed this morning at ten o'clock. He came, and, with a mysterious tone and manner, told me that his family name was really Antinori, but that he was the Duke de Brindisi, a Neapolitan; that he had arrived about a month since, at Philadelphia, whither he should immediately return and embark for Europe. He came upon a secret mission from one of the greatest Ministers of State of the age—from Prince Metternich, the Austrian Prime Minister. He came to tell me that a treaty was concluded two years ago at Rome, between Austria and England, entirely secret, signed by Lord Stewart for England, and by Mr. Lebzeltern for Austria, against Russia; that in consequence of that treaty, and of the projects of Russia, which it was intended to counteract, the European powers were preparing for war, which would soon break out; that Baron Tuyll would very shortly arrive here as Russian Minister (we know that Tuyll's destination is changed, and that Poletica is coming in his stead); that he would come with many compliments and fair words and cajoleries, and would make propositions to us to take side with her in the war; that he himself was instructed to come here, and by indirect means to seek and obtain my acquaintance, to sound my opinions, and those of the Government and

public here, but he had preferred coming to the point at once. He had therefore asked an interview with me, and he was charged to enquire if the United States were favorably inclined to receive propositions from Austria to take a part in this alliance against Russia, or whether they would determine to remain neutral; that as propositions would certainly be made to us by the Russian Minister, he, on his part, was instructed to say that if we would join in the alliance of Austria and England, one object of which would be to break up the Russian settlements on the northwest coast of America, Austria would engage to secure to us an establishment in the Mediterranean, which we had been desirous of obtaining.

I told him I should report to the President the substance of his communication, but he must be aware the President would enquire if he had produced any evidence of his being authorized to make it. He would not require a formal letter of credence, but something to show his authority would be indispensable.

He said that hereafter he had no doubt he should be regularly accredited, and would spin out into forty notes what he had now disclosed in a quarter of an hour, but that the manner of the Austrian Government was to begin by suggestions of unaccredited agents, and if they found their propositions were acceptable, to pursue the object further.

I told him that it would not be necessary for him to come to me again for an answer; that the Austrian Government might be sure any proposal coming from them would be received and considered with all the respect due to them, but no answer whatever could be given to anything proposed by a person totally unaccredited.

He said he should return to-morrow towards Philadelphia, and in a few days embark for Europe. But, as some notice might be taken of his having been in conference with me, there was another subject which he wished to give out as his motive for obtaining it. He then presented me a paper containing a petition for a grant of lands to Italian emigrants; also for a privilege to set up and carry on a lotto lottery, engaging to pay an annuity, and to furnish a frigate of forty guns, ready built and equipped, six years successively, for the privilege.

I told him that every application for a grant of lands must be made to Congress, and that for a lottery, to the State Legislatures.

He finally asked if he might report to the Austrian Government that if they thought proper to accredit him to the United States there would be no personal objection to him on the part of this Government.

I told him that, not having the honor of any personal acquaintance with him, and presuming that he was equally unknown to the President, there could be no personal objection to him as an official agent of Austria, if she should think proper to accredit him.

He then left me, in doubt whether to consider him as an impostor or a lunatic. I had afterwards some slight suspicions that he might be an emissary from Daschkoff, to entrap the Executive of the United States, at least so as to countenance a charge of having listened to proposals hostile to Russia.

28th. At the President's this morning I had the voluminous dispatches from G. W. Erving, at Madrid, and from Worthington and Halsey, at Buenos Ayres, to read. But the President, though convalescent, is yet so weak that he declined hearing them wholly read, and asked me to state the substance of them to him. When I told him that Worthington, one of the informal agents sent to South America to collect information, had been concluding a treaty there, he said, with quick and irritated tone, "Dismiss him instantly. Recall him! Dismiss him! Now, to think what recommendations that man had! Dismiss him at once, and send him the notice of his dismission by every possible channel. Send it to Halsey, though Halsey himself is recalled. However, the Commissioners when they arrived there will have set all right."

But the subject which seems to absorb all the faculties of his mind is the violent systematic opposition that Clay is raising against his Administration. Clay appears to have made up his account to succeed Monroe in the Presidency, and supported his election in the expectation of being appointed Secretary of State. In this he was disappointed, and though offered the War Department, declined accepting it, and from that moment

formed the project of rising upon the ruin of the Administration. He therefore took opposition ground upon all the cardinal points of policy taken by the President, but most especially upon the constitutional question concerning internal improvement, and upon South American affairs. On the Amelia Island affair, at the very outset of the session of Congress, he pronounced himself against it, and, as one of his own Kentucky papers stated, broke ground within battering distance of the message. From that day to this he has been indefatigable in every private company where he has been, in expressing disapprobation of that transaction, and of the mission to South America.

The President told me that last evening a member of the Senate came to him and asked him if at the Cabinet meetings before the commencement of the session of Congress the determination was taken not to acknowledge the Government of Buenos Ayres, professedly to the end that Congress might take the lead in this measure. And this was now enquired obviously with a view to justify the present conduct of Mr. Clay. The President answered that at that time the questions were proposed whether the Executive was competent to acknowledge the independence of Buenos Ayres, and, if so, whether it was expedient; that it had been concluded the Executive was competent; but that it was not expedient to take the step without the certainty of being supported in it by the public opinion, which, if decidedly favorable to the measure, would be manifested by measures of Congress. Mr. Monroe added, if Mr. Clay had taken the ground that the Executive had gone as far as he could go with propriety towards the acknowledgment of the South Americans, that he was well disposed to go further if such were the feeling of the nation and of Congress, and had made his motion with that view, to ascertain the real sentiments of Congress, it might have been in perfect harmony with the Executive. But between that and the angry, acrimonious course pursued by Mr. Clay there was a wide difference.

30th. Mr. Lowndes, the Chairman of the Committee of Ways and Means, came to make enquiries about certain appropriations. There is an objection against an appropriation for the mission

to South America, upon the principle that the Commissioners ought to have been nominated to the Senate. Mr. Clay's motion for an appropriation for an outfit and year's salary for a Minister to the United Provinces of Rio de la Plata was rejected in the House on Saturday, by a vote of one hundred and fifteen to forty-five. The President sent to the office to ask me to call upon him as I returned home, which I did. It was to consult with me upon instructions to be given to Mr. Gallatin, Mr. Rush, and Mr. Erving in relation to Spanish and South American affairs. He had at first inclined to accept the proposal, if it should be made to us by the European powers, of joining in the proposed mediation between Spain and her Colonies. But now he thinks we ought to decline taking any part in it, as our interest is to promote the total independence of the Colonies, while the basis of the mediation is a compromise between the claim of Spain to govern and the claim of the South Americans to independence. He desired me to make a draft of instructions to Mr. Gallatin to be considered in a Cabinet meeting.

*April* 4th. At the President's. He mentioned to me his intentions in respect to the nominations to be made before the close of the present session of the Senate for the foreign missions. He proposes to send two Commissioners to Constantinople—Mr. William Lowndes, the present Chairman of the Committee of Ways and Means, and General S. Smith, of Baltimore, with powers to negotiate a treaty—Mr. Lowndes to remain there, and General Smith to return by the way of Naples and make a further attempt to negotiate for the claims upon that Government, which were the object of Mr. W. Pinkney's mission. For the mission to Russia he proposes to nominate G. W. Campbell, now a Senator from Tennessee. He said he did not approve the principle of appointing members of Congress to foreign missions, but, as it had been established in practice from the first organization of the present Government, and as the members of Congress would not be satisfied with the opposite principle, he did not think proper to make it a rule for himself. He asked my opinion of the persons he had mentioned, and I gave it freely, notwithstanding the delicacy and difficulty of the task.

The President spoke of his desire to appoint some person from the Western country to one of the highest offices of the Government. He had informed Mr. Clay of his intention to appoint me Secretary of State, and had offered him the War Department, which he declined. He had also consulted him as to his disposition, whether he would accept the mission to England, which he had also repelled, observing that he was satisfied with the situation which he held, and could render more service to the public than in the other situations offered him. The War Department had then been offered to Governor Shelby, of Kentucky, at the urgent recommendation of Colonel R. M. Johnson, who had expressed the opinion he would accept it, but he declined on account of his age, his habits, and a determination that he had taken not to engage again in the public service. Since then no character belonging to the Western country has occurred with stronger claims to distinction than G. W. Campbell. There were, indeed, General Jackson, General Harrison, and Colonel R. M. Johnson, all of whom might have claims, but he thought none of them ought to prevail over those of Mr. Campbell.

He passed in review the principal States of the Union; observed that Massachusetts had had its share of the late diplomatic appointments; that there was no prominent character in New York except Mr. King, who probably would not incline to go abroad again, who had already received a full portion of the honors of this description, and who now filled a station of usefulness and honor, in which he was highly distinguished. I asked him whether the present Governor of New York had occurred to him as a person suitable for a foreign mission. He looked surprised, but said the Governor of New York certainly was a very prominent character, but he believed his views were not to a mission abroad. He would probably not accept one if it should be offered. Pennsylvania, he said, had already two of the missions, and Mr. Gallatin did not now appear inclined to return home, so that as he was not for the present inclined to bring forward any Virginian, he thought the new missions ought to be filled from the South and the West.

I gave him my opinion with the utmost freedom and perfect

confidence concerning all the persons whom he had mentioned. With respect to Mr. Eustis and Mr. Russell, he was determined they should come home. Eustis's state of health rendered it advisable, and as to Russell, he had received as much notice and distinction from the Government as the public opinion of the country would tolerate. Mr. Madison had with extreme reluctance consented to his last return to Sweden; and at the earnest solicitation of Mr. Clay he (the President) had acquiesced in it, but the only public object to be accomplished by it was the completion of the negotiation of the Commercial Treaty, which could not take more than a month or two of time. But Mr. Russell, instead of going directly to Stockholm, his destination, had been amusing himself at London and Paris, and indulging his taste for travelling at the public expense. It was time this should cease, and he directed me to write to Mr. Russell informing him very explicitly that his mission there must terminate in the course of the present year.

We went and dined at Mr. Middleton's, at Georgetown. Mr. and Miss Crowninshield, Judge Johnson, of Louisiana, Mr. and Mrs. G. W. Campbell, General Dickerson, and General and Mrs. Ringgold were there. The weather having been foul, the roads were bad. Our carriage in coming for us in the evening was overset, the harness broken, and the boy Philip took a sprain in the side, so that we were obliged to take him home in the carriage. We got home with difficulty, being twice on the point of oversetting, and at the Treasury Office corner we were both obliged to get out of the carriage in the mud. I called out the guard of the Treasury Office and borrowed a lantern, with which we came home. We immediately sent for the surgeon nearest at hand, who came and bled Philip. It was a mercy that we all got home with whole bones.

5th. We were interrupted by a visit from Mr. and Mrs. Chevallié, after which I had a long one from Colonel Forbes, who informed me he had lately come from Amelia Island, and whom, much to my surprise, I found to be James Forbes, brother of the Consul at Copenhagen. I had seen the name of Forbes among those of the mock Legislature of the Floridas, at Fernandina, but without imagining it was he. Without explicitly

informing me how or when he went there, or for what purpose, he gave me to understand that he had been there most if not all of the time from McGregor's taking the island until possession was taken of it by Captain Hanley and Major Bankhead. He gave me many particulars of the proceedings of the sham patriots under McGregor and Aury, and of the characters of the men, confirming everything that has been said of their profligacy. He says that the Mexican Congress was a vessel bought by Mina, at Baltimore, then called the Calypso, and that Aury contrived to get her from Mina without paying for her; that Aury was originally a French sail-maker—afterwards a sailor—and lived in St. Domingo till, in 1813, he went and offered his services to the patriots of New Granada, who gave him a commission as Lieutenant in their navy. He is a man entirely illiterate and ignorant, and his papers were written by Dr. Gual and by a young man named Comte, who was born at Baltimore and educated at the Jesuits' College there, son of a St. Domingo refugee, not more than twenty years old, of some abilities, but habitually addicted to intoxication. Gual was the most respectable man among them, but in desperate circumstances and having no means of subsistence. He went there from New York, in the America Libre, in September last, and took Pazos with him. Pazos was a printer at Buenos Ayres, banished by the Supreme Director Pueyrredon. Murden was a South Carolinian, ignorant and worthless. Irwin, though a member of the last Congress, nothing better. Mabritz, a Spanish South American, speaking no other language. Aury had not more than forty St. Domingo blacks with him, his recruiting there having been stopped short. They were certainly for some time on the point of bloodshed between the French and American parties, which were so equally balanced that in their pretended Legislature they were four and four, and he (Forbes) would have been the ninth if he had accepted, but he declined. A number of prizes had been brought in by Aury's prizes, but by his bad management he had got nothing by them. Heath had been the Judge of Admiralty under McGregor, but he resigned, and after Aury came he made Rousselin the Judge, who had been the Collector of the Customs at Galveston.

8th. At the President's. He spoke to me again of the projected missions to Constantinople and to Russia. He said Mr. Crawford had suggested a doubt whether it would be advisable to appoint more than one Minister for the Turkish mission, and that both Crawford and Calhoun thought G. W. Campbell preferable to either Jackson, Harrison, or Johnson for the mission to Russia. He said he had also spoken confidentially of Mr. Campbell to the two Senators from Pennsylvania, with both of whom he (the President) had long been intimate, and who, though plain men, were sound and judicious men. Both approved, and strongly urged, the appointment of Campbell. He said also, that when in Virginia last autumn, he had enquired of Mr. Jefferson how it would suit to appoint General Jackson to the Russian mission. His answer was, "Why, good God! he would breed you a quarrel before he had been there a month!" I told the President that as the other persons whom he had consulted personally knew all the characters much better than I did, I should press no further the objection to Mr. Campbell. The President said that there was another difficulty in the way of appointing Jackson. He was second in command, and such a distinction conferred upon him might seem an undue preference shown him over his superior officer, Brown. But, as it would not be in the military line, I did not think much of that.

9th. Met Colonel Forbes, who gave some further particulars respecting the affairs of Amelia Island. Lavignac, he says, was a Frenchman, who went from Baltimore, and Chapelle an American from Connecticut, understanding neither French nor Spanish. He told me Pazos had yesterday shown him the supplementary documents published relating to Amelia Island, and that in the papers furnished by Pazos there were many incorrect statements. He said he went there himself shortly after the death of Hubbard. T. Johnston came to solicit an advance of five hundred dollars to enable him to go to Holland in pursuit of a claim upon the Government of the Netherlands. He was two years ago appointed Consul at Calais to aid him in the pursuit of this claim, but never repaired to his post. I told him the control of the President over public money was

very limited, and that the advance which he requested could not be made. He talked of the desperation of his circumstances, and a starving family of children. It is very difficult to resist such applications as this; but in the public service, and especially in the care of public moneys, it seems as if one were required to have a heart of stone. I could reply nothing to this man's tale of distress, but I remained inflexible. He asked me if, in case he should obtain from private resources the means of going to Europe, I would give him instructions to our Ministers in France and the Netherlands to befriend him in urging his claim. I promised him I would.

10th. At the President's this morning I met Mr. Crawford and Mr. Wirt. There was some conversation upon the claim of Mr. Silsbee and others for the Algerine money. Crawford was for huffing the demand, and refusing to be teased about it. Crawford would not act so in his own Department; but such are the mazes of the human heart. This is not the first time I have seen the drift of Crawford's advice. While he is assiduously making friends to himself, he has no objection to my making as many enemies to myself as circumstances will admit. He has not pursued this course so far as Clay, who, with all his ardor, urged the President to let Russell go back to Sweden as Minister, and now, in his last speech for the Buenos Ayres appropriation, blames the Administration for keeping Ministers at Stockholm and in the Netherlands.

I left Silsbee's papers with the President, and asked him to give me directions with regard to the payment of the remaining money, having some doubt of my authority to pay it out. The President asked me to call again as I returned home from the office. On returning to the President's, I found he had this morning offered to Mr. William Lowndes the choice of a mission to Constantinople or to Russia. He showed me his answer declining both; and he said as Congress appeared to be getting into a querulous humor about the foreign missions, and as he knew no other person whose nomination would carry the same weight in its favor, he inclined rather to postpone any nomination to Constantinople for the present.

I told him that I had intended this morning to suggest to

his consideration the propriety of postponing the measure, which, upon the perusal of a memoir which had been furnished by General S. Smith, I had concluded would be most expedient. The President again expressed his conviction that G. W. Campbell would be the most eligible Western man to send to Russia. I told him I should press no further any objection against him.

The President told me he had been astonished at Mr. Clay's attack upon the Administration for the Swedish mission, Mr. Clay having himself been the cause of Russell's going back. Russell had come home with a sort of avowed determination not to go back. But he first, through Clay, solicited some employment at home, and, finding that was not attainable, he then was anxious to go back, and Mr. Clay became again his solicitor, on the ground that he was the only member of the Ghent commission who had not been specially noticed by distinctions, and as there was to be further negotiation about the treaty that Russell had made with Sweden, Mr. Madison consented that he should go back for that service. This evening I drafted a note to Onis on the papers left with me by Mr. Middleton.

11th. Spent the evening at Mr. Hyde de Neuville's, the French Minister. There I learnt that the House of Representatives this day passed the Counter-Navigation bill, which had already passed the Senate with only two dissentient votes. The majority in the House of Representatives was also very great. I found in speaking of it to Mr. Bagot, that he felt it more keenly than I had expected he would. He said he might now, after the measure was fixed, say that he thought it would not be well received in England; that it would touch their pride and make them adhere more stiffly to their system. I told him that pride was apt to act and counteract, and perhaps might influence us too, but that no Government in the world understood better than the British how to accommodate their pride to their interests. He said he was fully convinced his Government understood everything as well as any other.

14th. Mr. Onis called upon me at my house, and kept me more than two hours in conversation upon the state of affairs between the United States and Spain. He is about to send off Mr. Pizarro, one of the persons attached to the mission, to

Spain, to ask for new instructions, and offered to forward by him any instructions for Mr. Erving. He said he had only two days since received the leave of absence, which he had been long soliciting, but he was instructed not to use it until the negotiation for settling the differences between the two countries should be concluded, an event for which the King was extremely solicitous. It would give him extreme satisfaction if he could be so happy as to conclude the treaty, and he wished very much that a close alliance might be formed between the United States and Spain. But if the President thought the treaty might with more advantage be accomplished at Madrid, he for his part should very cheerfully acquiesce in that arrangement.

I told him it would be equally satisfactory to the President if the arrangement could be made either here or at Madrid, but that he thought it utterly useless either to write or to talk any more upon the subject, as there never had been a negotiation so completely exhausted, and upon which there was so little prospect that the parties would ever come to an understanding with each other.

He said he did not see why they should not; that he hoped we should ultimately yield something; that he wanted an alliance between the United States and Spain; that Spain would grant us commercial advantages, and especially anything that would counteract the commercial tyranny of England. He said I had opened his eyes upon the conduct of England towards Spain, which was full of duplicity. I might be assured that Spain had not asked the mediation of England to settle her differences with us. Spain had made a statement to England of the state of affairs between her and us. She had informed England that the King had made up his mind to cede the Floridas to us, and asked the acquiescence of England in the measure, having had previous engagements with England not to cede any territories in America. England, instead of agreeing to the proposed cession, offered her mediation, and left it at the option of Spain whether it should be offered here by him (Onis) or by Mr. Bagot. He spoke with no small bitterness of England and of her project of mediation in the affairs of the Colonies; said he hoped Spain could settle the affairs

with the colonists themselves, and without the intervention of any mediators, and that if the United States would do anything to come to an arrangement, Spain would secure to them commercial advantages, which it was evident England wanted to engross exclusively to herself.

But, with all these professions, Mr. Onis proposed nothing, and pretended that the Spanish Government had always supposed the river Colorado, which he had offered to take for the boundary, was the Red River of Natchitoches, and never imagined it was the Colorado of Texas, which they called the river of St. Bernard. I told him that this mistake was very extraordinary, as the boundary in dispute was to commence from the Gulf of Mexico, and as we knew of no maps in which the Red River of Natchitoches was called "Colorado;" its French name being "Rouge," and its Spanish name "Roxo." He said "Colorado" was the Spanish word for red, and that the river of the Natchitoches, falling into the Mississippi, fell indirectly into the Gulf of Mexico. I told Mr. Onis that I would write to Mr. Erving by his messenger.

20th. When I called at the President's, he said he should go to the hall of Congress to sign the bills, which at the last day of the session were very numerous, and it was usual for the heads of Departments to be there with the President. He therefore asked me to meet him there at four o'clock, and to mention it to the Secretaries of War and the Navy, whose offices are in the same building with mine. I accordingly saw Mr. Calhoun, but Mr. Crowninshield was ill, confined to his bed at his lodgings.

Mr. G. W. Campbell called at the office, and made many enquiries relating to his mission to Russia. I went home, and thence, at four o'clock, to the hall of Congress. The President was in the committee-room of the Senate. His brother and Secretary, Joseph Jones Monroe, Mr. Crawford, the Secretary of the Treasury, and James Barbour, a Senator from Virginia, were with him, examining the enrolled bills ready for his signature. Mr. Calhoun, the Secretary of War, came in afterwards. About forty bills were examined and signed. Mr. J. J. Monroe occasionally went into each House, and announced his having

signed bills to the House where they originated. Between eight and nine o'clock a committee of two members from each House, Mr. Macon and Mr. King, of the Senate, Mr. Pitkin and General Harrison, of the House of Representatives, came and announced (Mr. Macon speaking) that they were ready to adjourn, if the President had no further communication to make. He said he had none, and the two Houses immediately afterwards adjourned.

As I was walking home, Mr. King[1] overtook me, and immediately after, we met his carriage. He took me to my own door. He told me the President had communicated to him the dispatch last received from G. W. Erving, and expressed sentiments on the subject entirely congenial with my own.

23d. St. George's day. Upon which I purposely dated the Plaster of Paris Proclamation, one of the most significant acts, though upon a very insignificant subject, that the Government of the United States will have issued since the Declaration of Independence. I drafted this proclamation as a proposal to the President, without any previous communication with him of my ideas concerning it. I read the draft to him this morning without any comment. He made no remark upon it, but asked me to leave it with him, that he might read it over again before he should conclude to sign it. I left it with him, requesting him that it might bear date this day, as its operation commences from the date, and ought not to be delayed; but without telling him that I wished it to be dated on St. George's day. He sent it to me in the course of the day, approving it, without the alteration of a word. It is a curious speculation in my mind whether it will be felt and noticed here, in Nova Scotia, or in England, or whether it will pass unobserved as an ordinary proclamation. The point of the date is one of those recondite mysteries which no human being will understand without an explanation. The operation of our Plaster Law was purposely made to commence on the fourth of July. This everybody understands. Its termination upon St. George's day will pass unperceived.

27th. I called at Mr. Correa de Serra, the Portuguese Min-

[1] Rufus King, at this time one of the Senators from the State of New York.

ister's lodgings at Hieronimus's, and at one o'clock met him at the President's, of whom he had an audience to deliver a letter from the King of Portugal to the United States, announcing the marriage of his son to an Austrian Archduchess. The Abbé was dressed like ourselves, and not in the full Court suit. He has been highly hypochondriac, and, fancying himself extremely ill, went off suddenly six weeks ago, first to Baltimore, and thence to Norfolk, to consult a Portuguese physician. He has come back as suddenly as he went, and is going again shortly to Philadelphia. His official and ceremonial audience was very short, but he remained afterwards conversing upwards of half an hour with much good humor and brilliancy. His conversation is delightful, and sparkling with wit.

28th. Received while at breakfast this morning a note from the President, appointing a Cabinet meeting at eleven o'clock, to consider of instructions to be given to Colonel Hawkins, the Agent to the Commission under the fifth and sixth articles of the Treaty of Ghent. I attended at the time appointed. Crawford, Calhoun, and Wirt were there. Crowninshield is confined at home by sickness. The question concerning the instructions to be given to Hawkins was discussed. This gentleman, who is the Agent of the United States, has given such a construction to the Treaty as would take the whole business from the Commissioners and place it in the Agents. Although he has been repeatedly informed that the President is not of that opinion, he perseveres in his own, and has now called for explicit instructions. The opinion of the meeting this day was unanimous that the power of decision belonged to the Commissioners, and that they have the right of executing the duty in such manner as they think proper. Crawford insisted that in that Commission there was no need of Agents, and hinted that it was an oversight in the treaty to have allowed any Agents. In this opinion, however, he was alone.

Mr. Wirt appeared to think more about his salary, or what he called bread and meat for his children, than of any other subject. There was a bill before Congress at the close of the late session for increasing the salaries of all the heads of De-

partments. It passed through both Houses, but fell through by a disagreement between them upon the details. Mr. Wirt wrote some time since to the President, urging him to recommend to Congress an increase of salary for the Attorney-General, and a clerk to be allowed him, and an office, and various other comforts and conveniences. The President asked Mr. Crawford and me whether we thought he ought to make a recommendation by special message for this increase of salary, which he said must of course include all the heads of Departments. We both agreed that he ought not; that any measure of Congress for that purpose should be spontaneous on the part of Congress. Wirt, however, is much dissatisfied, and gave some hints of resigning. He has a large family, and cannot hold the office of Attorney-General without a sacrifice of private practice for which the salary cannot compensate. I think he will not hold the place long, and, although he has opinions and prejudices not very appropriate to an Attorney-General of the United States, the President would not easily fill his place. He has two faults which may have an influence in the affairs of this nation—an excessive leaning to State supremacy, and to popular humors. He asked me to negotiate an arrangement this day with the State of Pennsylvania about a delinquent debtor both to the United States and the State of Pennsylvania. The United States Marshal took his property in execution, and the Pennsylvania Sheriff took it from the Marshal. The question was now, he said, before the Supreme Court, and he was *afraid* the decision would be in favor of the United States. Pennsylvania was indignant at being summoned before the Court, and refused to appear.

I asked him what the Department of State had to do with the affair. He did not know. As a delinquent debtor, I said, his case belonged to the Treasury Department. He replied that the Treasury could not relinquish the debt. "Nor," said I, "can the Department of State." He said if the decision should be in favor of the United States, it would certainly stir up a dust; which I told him we could not help.

30th. On my way this morning to my office I met Mr. Hyde de Neuville, the French Minister, who expressed much anxiety

and alarm at the Frenchmen landed at Galveston under the two Lallemands, and was much afraid there were Bonapartes concerned in the affair. I referred him again to Mr. Onis for information, but he says Onis protests he knows nothing about it. He admitted, however, that Onis had tampered with Galabert—had given him money, and perhaps a letter to the Viceroy of Mexico; but he employed him only as a spy. But there was a great force coming to join these people from Europe; all spoke of it with great anxiety, and that was the great cause of the earnestness with which they urged that our differences with Spain may be settled. This led to various remarks and replies, in which he manifested the wish that Spain should cede the Floridas to us for a sum of money, that we should leave the western boundary of Louisiana unsettled, and that we should give up the claim for French spoliations within Spanish jurisdiction. All this, I assured him, was out of the question.

At the office I had a visit from Mr. Bagot, who also spoke as if alarmed at the Lallemand expedition to Galveston, and said if there was a Bonaparte concerned in it, his Government would of course consider it as deserving high attention. I referred him to McGregor's expedition not yet abandoned; to the numbers of people coming out from England to join it; to the popular disposition in England favoring the cause of the South Americans, and to the increasing energy of that sentiment. He has no dispatches from England later than January. The February packet from Falmouth put back six times, and finally sailed in company with that of March, which had arrived by way of Halifax, while the other, coming by the way of Bermuda, is not yet here. All his dispatches for two months are on board. He spoke of general objects, concerning which he has written notes and as yet received no answer; the act for returning extra duties levied after 3d July, 1815; the proclamation about the agreement concerning the armaments on the American lakes; the case of Lieutenant Frazer drawn as a militia-man in Georgia, and the money deposited in one of the New York judicial districts, which is withheld from the owner, because it was adjudicated by the Court for

the other district. I told him how all these cases stood. We had also some slight conversation upon the subject of colonial policy, upon which he is confident that Great Britain will not yield.

*May* 1st. In the evening I had a visit from Mr. Correa, the Portuguese Minister, with whom I had a long and not very pleasant conversation. He said he had been much hurt by a paragraph in yesterday's National Intelligencer, noticing in harsh terms the reception and ill treatment experienced by the Congress frigate, and the neglect of our Commissioners at Rio Janeiro. He brought me an anonymous letter to himself, written at Savannah, last November, containing an account of a Portuguese vessel, taken and carried to Amelia Island by the adventurers there, and condemned as a Spaniard. And this event he pretended had exasperated the people at Rio Janeiro against us, and occasioned the ill treatment of our officers. As to those *up-stairs*, he said (meaning the King), there was an affair ever since last June, which had indisposed them—meaning the countenance given to Da Cruz, a man who came as deputy from the insurgents at Pernambuco—and Count Villa Nova, the present acting Minister for Foreign Affairs (Bezerra having died last November), was a man of morose, unconciliatory temper, and strongly prejudiced against the United States.

I told him—First, that the article in the National Intelligencer was not inserted from the Government, and I knew nothing of it. I suppose it founded upon private letters. Secondly, that the reception of the frigate and of the Commissioners had not been friendly. Disagreeable incidents had occurred, which, however, had been, I hoped, ultimately explained to mutual satisfaction. Thirdly, that the Minister, Villa Nova, had made the unwarranted and inadmissible demand that all the Portuguese sailors on board the Congress should be discharged.

In that, Correa said, as we never practised impressment, the Minister, Villa Nova, was certainly wrong. This led us into a long discussion about Spain, Portugal, South America, the European alliance, and this country, in which, with a pretence of confidential communication and mysterious innuendoes, he

hinted that the European alliance had determined to take part against the South Americans, and that Russia was to have some great foothold on the American continent. It was obvious that he had some conjectural as well as some real information from Paris, and that he wished me to consider the South America business as entirely settled by the European alliance. I told him that if they thought of settling affairs of such importance, and in which we have so deep an interest, without consulting us, they must not complain if we pursued our course concerning it without consulting them. He fully admitted our right, but in the course of our discussion there was something like acerbity in the collision of our opinions. We parted, however, in mutual good humor.

3d. Mr. Correa came at ten in high spirits, and entirely released from his terrors and his ominous conjectures about the European alliance. He had a letter from Palmella after his return from Paris, in February. Palmella tells him that Fernan Nuñez and he have both received their full powers to arrange the affair of Montevideo between Spain and Portugal; that he is determined to admit only the mediation, and not the umpirage, of the other European powers; that he will agree to restore Montevideo only on the preliminary condition that the affair between Spain and her Colonies shall be settled either by her acknowledgment of their independence, or by her subduing them, of which, he says, the prospect is from day to day more remote. He expresses much satisfaction at our occupation of Amelia Island, and at the motives assigned in the President's messages for that measure. He requests Mr. Correa to send him all the documents relating to that affair, and says they will have great effect in justifying the occupation of Montevideo by the Portuguese Government, showing that similar causes produced the same effects, and gave rise to measures founded on the same principles, without co-operation, or even concert, between the two Governments. He adds that he shall return to Paris and protract the negotiation until the meeting of the Kings, which is to be next September, at Aix-la-Chapelle, and which the King of Spain means to attend. There Palmella expects that this subject will be merged in the general questions about

South America, and that the whole will end in smoke. Correa said he was very much gratified to find such a perfect coincidence with the sentiments and opinions that I had expressed to him the evening before last, and the more so as it was not an official dispatch, but a friendly and confidential letter. He had also a letter from the acting Minister of Foreign Affairs, Villa Nova, which shows he had been very polite and attentive to Captain Biddle, and which speaks with much esteem of Mr. Sumter. He is therefore entirely convinced that the unpleasant incidents, which occurred while the Congress frigate was there, were accidental, and that the non-introduction of our Commissioners to the King was owing only to the informality of their characters, and perhaps to avoid giving direct offence to Spain, whose Minister, Casa Flores, had perhaps made an extraordinary stir upon the occasion. Mr. Correa told me he should go for Philadelphia the day after to-morrow, and asked me to hold this as his visit to take leave.

4th. The President sent me word this morning that he had returned from his short tour to Virginia. When I called at his house, I found there Mr. Calhoun and Mr. Crowninshield; Mr. Crawford came in shortly afterwards. The dispatches from General Jackson were just received, containing the account of his progress in the war against the Seminole Indians, and his having taken the Spanish fort of St. Mark's, in Florida, where they had taken refuge. They hung some of the Indian prisoners, as it appears, without due regard to humanity. A Scotchman by the name of Arbuthnot was found among them, and Jackson appears half inclined to take his life. Crawford some time ago proposed to send Jackson an order to give no quarter to any white man found with the Indians. I objected to it then, and this day avowed that I was not prepared for such a mode of warfare.

5th. Mr. Hyde de Neuville, the French Minister, came, and had again a long conversation with me, urging the settlement of our disputes with Spain, but always hinging upon the same points; upon which I told him that he might assure his Government, with the most positive certainty, that no such arrangement would be made.

7th. Mr. De Forrest was at the office. I told him that he could not be recognized in the character of Consul-General, as that would import a recognition of the Government of Buenos Ayres; but if he should have any communications to make at the Department of State, they would be received with the same attention as if he was acknowledged; and I added that the supposed treaty which Mr. Worthington had assumed to make was without any authority, and had not been approved by the President.

He said it had been thought ridiculous by all the Americans at Buenos Ayres, and done solely with a view to give himself consequence; he would doubtless make a similar treaty in Chili. But as a Consul from this country had been appointed to Buenos Ayres, the Director Pueyrredon had thought there would be no difficulty in receiving one. He was himself a native citizen of the United States, and now returned to remain here, having no intention ever to go back to South America. His appointment was of very little consequence, and was given him unsolicited by him, with a view to prevent the irregularities which had been committed by privateers under the flag of Buenos Ayres, which the Director highly disapproved. But he asked me whether he should exhibit his commission to me, and whether he should make an application for the "exequatur" in writing to receive an answer in the same manner. I said that we had appointed many Consuls to reside at colonial establishments; they were seldom received with those regular titles, but were generally allowed to act as Commercial Agents. At Buenos Ayres, Mr. Halsey had been formally received. This was altogether a voluntary act on the part of the Government there, who might have declined it without offence to us. But the Director himself, in announcing his (De Forrest's) appointment as Consul-General, had referred to Worthington's treaty, which was entirely disavowed. As to writing, I thought that would be unnecessary. It would be more consistent with delicacy from each party to the other that it should be thus understood by verbal communication. If, however, he preferred writing, and would address a note to me, I would send him an answer to the same effect with what I now told him.

I asked him if his commission interfered with that of Mr. Aguirre. He said no; Mr. Aguirre's commission was merely to procure arms and naval stores, and an armed vessel. He had no authority to ask the acknowledgment of his Government, and he knew it was not the wish of the Director to press this Government upon that subject. But Aguirre had been instigated here by other persons to all that he had lately done. He then asked if there was not a demand from the Director that Mr. Halsey should be recalled. I told him that there was, and that Mr. Halsey had already been some time since dismissed. There were doubts as to the President's power to recall an individual citizen from a foreign country; but Halsey's commission being revoked, if the Director thought it essential that he should be personally removed, he would, of course, be subject to the police regulations of the country. De Forrest asked whether he could see the President. I told him I had no doubt he could: I would mention his wish to-morrow morning, and had no doubt he would be received if he called at the house.

8th. Met Mr. Crawford at the President's. I mentioned to the President Mr. De Forrest's desire to see him, to which he readily acceded. De Forrest came again to my office, and I had further conversation with him. He enquired, among other things, whether, if the Government of Buenos Ayres should send an expedition to take possession of Florida, the Government of the United States would take any measure to prevent it. I told him that the same law by virtue of which possession was lately taken of Amelia Island would apply on such a contingency to the remainder of Florida. It had been in existence ever since the year 1815, and expressly provided that no foreign power could be permitted to take possession of that province, or any part of it. The United States had a claim upon it for indemnities which have been long due from Spain, and they cannot suffer that it should be taken out of their hands by a third party.

He said the Government of Buenos Ayres had no concern in the late transactions at Amelia Island, and were entirely satisfied with the steps taken there by the United States. But

the possession of a port in the Gulf of Mexico would be of great importance to them as a means of annoyance to Spain, and unless they could take Florida they could have no port upon the Gulf to which their privateers could resort.

I said the law of Congress had been made without any intention to injure the interests of Buenos Ayres, but while it remained in force the President was bound to have it executed; that the Commissioners to South America had been instructed to give every suitable explanation upon that subject, and no doubt had done so at Buenos Ayres. Mr. De Forrest concluded to leave the affair of his office as Consul-General from the Provinces of La Plata upon the ground of verbal communications, without writing, and went from the office to the President's, where he was received. The President had some conversation with him. Besides this appointment, the President has received another letter from the Supreme Director Pueyrredon, announcing his appointment of General William Winder, of Baltimore, as *Deputy* from the Provinces of La Plata to the Government of the United States. General Winder enclosed this letter to the President, and seems undetermined whether to accept or decline it. The President will answer Winder's letter.

12th. Mr. Bagot came at two o'clock, and delivered to me the warrant from the Prince Regent addressed to Sir John Cope Sherbrook, the Governor-General of Canada, or in his absence to the officer commanding in the Provinces of Nova Scotia; reciting the substance of the report of the Commissioners under the fourth article of the Treaty of Ghent, and directing him to deliver up Moose, Dudley, and Frederick Islands to any person authorized on the part of the United States to receive them. There was some question whether this warrant should be sent to Sir J. C. Sherbrook, or directly to Lord Dalhousie, the Lieutenant-Governor of Nova Scotia. It was concluded that, unless the President should otherwise direct, the warrant should be sent to Lord Dalhousie, and Mr. Bagot promised to send a certified copy of it to Sir John C. Sherbrook. He told me that he had received the dispatches of two months, February and March, at once, but he had been

disappointed in the expectation of having the communication to make to me which had been promised by Lord Castlereagh concerning what it was proposed to do with regard to South America. I told him I supposed it was because nothing had been agreed upon to be done; that it would have been agreeable to the President to have received this communication, particularly as we were already in possession of the answer of Russia to the propositions made by Great Britain. He said he had no doubt that the delay of the communication was occasioned solely by the fact that nothing had been definitively agreed upon. He said he was likewise expressly instructed to present the thanks of his Government to the President for the delicacy of proceeding observed in the suppression of a paragraph of a letter among the documents first communicated to Congress respecting Amelia Island, in which a British officer had stated that McGregor's expedition was really carried on with the authority and at the expense of his Government. Mr. Bagot said his dispatch added that it could hardly be necessary to say that the assertions of that British officer had been totally without foundation.

13th. At eleven o'clock I attended the Cabinet meeting at the President's. He proposed several questions for consideration. 1. Whether Amelia Island should, with or without a new application from the Spanish Minister, be evacuated? 2. Whether, if the war with the Seminole Indians should come to an end by their surrender, our troops shall evacuate Florida? 3. Whether an armed force shall be sent to visit both sides of the coast of South America for the protection of our commerce, and to countenance the patriots? to which was added the further question, whether a frigate should also be sent into the India Seas? 4. Whether a person of confidence should be sent to Galveston to ascertain by what authority the late settlement there has been made, and to give warning that it is the territory of the United States? 5. Whether the Ministers of the United States in Europe shall be instructed that the United States will not join in any project of interposition between Spain and the South Americans which should not be to promote the complete independence of those Provinces; and whether meas-

ures shall be taken to ascertain if this be the policy of the British Government, and, if so, to establish a concert with them for the support of this policy? 6. Whether any measures shall be taken with regard to the renewal of the commercial Convention of 3d July, 1815, with Great Britain?

All these points were discussed without much diversity of opinion upon any of them. It was agreed that neither Amelia Island nor Florida should be evacuated for the present. As to sending an agent to Galveston, nothing definitive was determined. There were incidental questions with regard to the kind of agent to be sent, whether ostensible or secret, and from which of the Departments. No positive decision was made.

The point upon which there appeared the most variety of opinion was on the instructions to be given to our Ministers abroad concerning the Spanish and South American quarrel. I thought that instead of one general circular instruction, there should be different instructions given, and a different course prescribed to different Ministers, and particularly that no proposal should be made to Great Britain for concerted measures with her to promote the independence of South America. First, because it would be a departure from neutrality. Secondly, because Great Britain, though she will readily acquiesce in the South American Independence, will cautiously avoid having the appearance of supporting it; and thirdly, because she would at once decline our overture, and make it an engine to injure us with the other European powers.

Finally, the President directed me to make drafts of instructions to Mr. Gallatin, Mr. Rush, and Mr. Campbell for his consideration. There was some conversation upon the warrant for the delivery of the Passamaquoddy Islands, and question to whom it should be sent, which was not settled.

At the President's request we all went out with him and viewed the ground where they have begun digging for the foundation of one of the new Executive offices. We all agreed that the place where they have begun is not well chosen, and that another should be selected. But the opinions differed, whether the new sites should be parallel to the present build-

ings, or at right angles with them. It was three o'clock when I returned to my office.

15th. When I came to the office I found Mr. Bagot already there. He came to make the proposals already broached by Lord Castlereagh to Mr. Rush; stating that with regard to the slaves carried away from the United States by British officers after the late peace, the British Government accepted the proposal made by that of the United States, to refer the question of construction of the treaty which has arisen upon it to the arbitration of a friendly sovereign. But it was thought advisable to take, as a previous measure, the course of the Treaty in regard to other questions between the parties, and to refer the question to Commissioners mutually chosen. At the same time it was wished to take the opportunity for settling another and the only remaining question of boundary between the two countries, namely, that of the line from the northwest corner of the Lake of the Woods westward. It had been left undetermined at the Treaty of Ghent, though it was known that the line of the Treaty of 1783 was a nullity, and the Treaty of 1794, by which some provision was made for the difficulty, no longer existed. And as our settlements westward were on both sides pushing on very rapidly, it was very desirable that the present favorable moment should be taken for coming to an arrangement of the question, which it was proposed to do also by the means of Commissioners.

I observed to him that there was a third question which had also been suggested by Lord Castlereagh to Mr. Rush, that relating to Columbia River. He said he considered it as involved in the other. And he further observed that his Government had been a little hurt at learning from him of the Ontario having been dispatched to take possession of the mouth of Columbia River without giving notice to him of the measure; that his Government in the fullest and most explicit manner admitted the obligation of restoring any post which had existed there at the commencement of the late war, under the authority of the United States; that on receiving information of the Ontario expedition, immediate orders had been issued from the Lords of the Admiralty to prevent any collision in the execu-

tion of the Ontario's orders; that no resistance should be made against them; but he was instructed to add that the British Government did not admit the validity of our title to that territory.

I told him that although I was here when the Ontario sailed, the measure had been determined upon before I came; that I should inform the President of the substance of his communication, but in the mean time I could assure him that the omission to give him notice of the object of that expedition was not from any intentional concealment, but altogether in consequence of the answer given by Mr. Baker when, in 1815, the restoration of that post had been demanded by Mr. Monroe, which was, that the American post at the mouth of the Columbia River, taken by the British during the war, had not been occupied by them, but immediately abandoned; that concluding thence that there was no British post there, the Ontario had been sent with instructions to persons on board merely to resume the possession of the United States; and, as it was expected that no British post would be found there, it had not occurred that there was any occasion to give notice of the expedition to him or his Government.

He said he was entirely satisfied with this explanation, which he was sure would be equally satisfactory to his Government.

I said that no force was intended to be used in the execution of this service. The officers charged with it were instructed, if they should find any settlement there, and any opposition made to their taking possession, not to commit any act of hostility or force. He said no resistance would be made. I told him that we had no thoughts of making war at present for the empire of Astoria, but, with regard to the title, we had not only that settlement actually established before the late war, but a purchase of a large tract of the country made from the Indians in the year 1787, more than thirty years since. He said he had never heard of that before.

I told him I was not aware of any material objection that there would be to referring those subjects to Commissioners, unless it should be the dissatisfaction which has been mani-

fested in Congress at the slowness and expensiveness of the commissions now in operation. But there were other subjects to be arranged between the two countries: there were the fisheries; the renewal of commercial arrangements to meet the expiration of the Convention of 3d July, 1815; the additional articles proposed by Lord Castlereagh, and, I hoped, some further liberal provision with regard to the West India trade —a hope that I the more freely indulged after seeing Lord Castlereagh's speech, in February last, in answer to Mr. Lyttleton's questions on the Slave-trade Abolition Treaty with Spain. He said those remarks of Lord Castlereagh had been generally and much applauded everywhere in England.

With regard to the Convention of 1815, the impression of many of the merchants among us here was, that its operation was disadvantageous to us, and to the advantage of Great Britain. Yet I believed, rather than incur the greater evil of setting the whole business afloat again, of reviving the discriminating duties on both sides, and letting loose all the petty fractious regulations so troublesome to the merchants, we should be willing to agree, at all events, that the duration of the Convention should be prolonged for some years; but if Great Britain objects to that, and prefers that the Convention should be permitted to expire, it will be necessary to give notice of it very soon, that the merchants may be prepared accordingly.

To all this Mr. Bagot fully agreed. As to the fisheries, he said, he regretted very much not having received from us the proposal that had been promised him, as now the Legislature of Nova Scotia had taken up the subject. They were addressing the Crown, and although their influence might not be very great, yet it must always be something.

I said I hoped they would not listen to the Nova Scotia Legislature, who suffered their temper to run away with their interest. They had found themselves compelled to repeal their plaster laws, and now took up the fisheries by way of avenging themselves. If they were suffered to have their way, they would make perpetual war between Great Britain and the United States.

He said that was very true, but that we did not seem to think the complaints of the great inconveniences suffered by the British, in consequence of our fishermen frequenting their coast, were well founded.

I said we knew very well there was the inconvenience of competition. Their fishermen would be better satisfied if they had the whole coast to themselves. This was an old inconvenience, which had always existed when the fishery was common to the French and English. The competition also sometimes gave rise to quarrels between the fishermen of the different nations. That was an inconvenience, but it did not affect the question of right.

He said he alluded to the opportunities afforded for smuggling. I said there might have been something in that at one particular period of time before the late war, when large American ships went there and took cargoes for Europe—a state of things which probably would never happen again. Our fishing vessels now, and in all ordinary times, were small, without cargoes, frequenting chiefly a desert coast, where there could be no smuggling. I thought there was very little cause for such complaint now. The case of one of our vessels seized last summer at St. Andrew's, about which I had written to him, showed there was much more suspicion than real smuggling on that coast. As to the proposal which was to have been made to the British Government, and which had hitherto been delayed, its postponement had been owing to difficulties which had been discovered since it was promised. It was founded on the principle of assuming a range of coast within given latitudes for our fishermen to frequent, and abandoning the right to fish for the rest. But the fish themselves resorted at different times to different parts of the coast, and a place which might be selected as very eligible now, might be, in the course of four or five years, entirely deserted. For my own part, I had always been averse to any proposal of accommodation. I thought our whole right, as stipulated by the Treaty of 1783, so clear that I was for maintaining the whole, and if force should be applied to prevent our fishermen from frequenting the coast, I would have protested against it, and

reserved the right of recovering the whole by force whenever we should be able. It had, however, been determined otherwise here, and a proposal had been promised. Perhaps we should ultimately offer to give up the right of drying and curing on the shore, and reserve the whole right of fishing.

He said that, whatever was done, he hoped to hear from me again soon upon this and the other subjects of this interview.

16th. I read over the dispatches received from R. Rush, with a view to prepare answers to them. The President returned me the draft of the dispatch to Mr. Gallatin, with some alterations. He also directed me to see Mr. G. Graham and enquire if he would go to Galveston and ascertain the object of the recent lodgment by the Frenchmen under Lallemand, and to warn them that they are upon the territory of the United States. He proposes at the same time to send a secret agent to Pensacola, to watch the movements there, particularly with regard to the illicit introduction of slaves from thence into the United States.

19th. Finished a draft of a dispatch to R. Rush, which I took to the President. He renewed the suggestion which he had made once or twice before, of a wish to propose to Great Britain a general negotiation of a commercial treaty, to include the continuation of the commercial Convention of 3d July, 1815, and to embrace the other objects in discussion between the two Governments, such as the affair of the slaves, the fisheries, the boundary from the Lake of the Woods, and Columbia River. He thought it would be necessary to give Mr. Rush a colleague for this negotiation, and asked my opinion concerning it.

I said I believed the best thing that could be done would be to join Mr. Gallatin with him for this negotiation. He said there was only one objection that occurred to him, which was that they were both from the same State. I thought that of no consequence in this case, Mr. Gallatin not being a native of Pennsylvania, and not having resided there for nearly the last twenty years. The President assented, and directed me to draw further instructions for Gallatin and Rush accordingly.

At the office, I sent for Mr. G. Graham, and proposed to him to go upon the confidential mission to Galveston, to ascertain

what Lallemand and his party are doing there, under what authority they made the lodgment, and what are their intentions; at the same time to give them warning that they are upon the territory of the United States. Graham said he had projected visiting the Alabama Territory this summer, and might perhaps ultimately settle there. He said he would give me an answer to the proposal in two or three days.

20th. Drafted a second dispatch to R. Rush. The correspondence of the Department is in great confusion for want of a proper system of order in conducting it. I found none established, and when I entered the office no minute was kept even of the letters received from day to day. I began soon after by having such an entry made in a book every day, and find it a very useful record, but it is not sufficient. I am constantly receiving notes from the foreign Ministers residing here, and dispatches from the Ministers of the United States abroad on an immense variety of subjects, many of which require measures to be adopted before answers can be given, and various delays. Whenever a subject is postponed, the multiplicity of affairs occurring from day to day expels it from the memory, and without some thread by which to return to it, no recollection of it is retained. I have thus now eleven dispatches from Rush to answer at once, and a number nearly equal from J. Russell, at Stockholm, from A. Gallatin, at Paris, and from G. W. Erving, at Madrid, besides Sumter, W. Pinkney, and W. Eustis. I began by reading over all Rush's dispatches, and made a short minute of their contents. It has suggested to me the idea of keeping an index of diplomatic correspondence, in which each dispatch from every Minister abroad shall be entered as it is received, and a minute of its contents and enclosures added, preparatory to its being answered. Also a similar register for the Consular correspondence, and for that with the foreign Ministers here.

The President proposed to call a Cabinet meeting for twelve o'clock to-morrow, to consider the expediency of offering a new commercial negotiation with Great Britain, and of joining Mr. Gallatin for it with Rush. But he postponed this call, Mr. Calhoun being confined to his house unwell.

21st. Prepared a dispatch for Jonathan Russell, Minister at Stockholm; for which purpose I found it necessary to read over eleven dispatches received from him since his return there —all received since the adjournment of Congress. Several of these referred to his prior correspondence, which it became necessary to have looked up at the office. As, however, the dispatch must be forwarded as soon as possible, I made the draft, leaving the subjects upon which my information is incomplete to be taken up hereafter in another letter. On reading my draft to the President, he wished it to be made more explicit in letting Mr. Russell know that his mission must terminate in the course of the present year, and that he must not expect at present any further employment by the Executive in Europe. And in doing this he wished me to express to him the satisfaction of the President with his conduct while he has been in the public service in Europe.

I suggested to the President that Mr. Russell was a man who would consider that such a conclusion should not flow from such premises; that he had a high opinion of his own merits and services, and was by no means disposed to quit his hold upon diplomatic employment; that, in short, he would not easily get rid of him.

He said, in a quick and sharp tone, that he could assure me *he* should very easily get rid of him.

I observed that Mr. Russell had very explicitly told me that he considered himself *entitled* to a better mission than that of Sweden.

"Entitled!" said the President. "No man in this country is entitled to any appointment from the Executive."

I said that was my own opinion, but it was not Mr. Russell's, and assuredly, in whatever way he should discover that the President did not intend to employ him any further, it would give him great offence, which he would take care should not remain unknown.

The President said I might then leave my dispatch to him, as I had written the draft. As Mr. Calhoun continues indisposed, the President directed me to send the second dispatch to Mr. Rush round to the other heads of Departments, and if

they agreed to the measure of proposing the new commercial negotiation to the British Government, it might be determined upon without calling a Cabinet meeting.

22d. I read over the correspondence of Jonathan Russell while negotiating the Treaty of Commerce with Sweden, but several of his letters are missing, and not to be found on the files of the Department. Among them are his most important letter on the subject of claims on the Swedish Government, and even the English translation of his Treaty is nowhere to be found. So it is with almost every correspondence in the Department. All in disorder and confusion.

Mr. Brent came this morning, and brought a pamphlet borrowed at the office of the Clerk of the Senate. It was printed for the use of the Senators while they had the Treaty under consideration, and contains two of the papers missing, in manuscript, namely, Russell's letter sent with the Treaty, and the English translation of the Treaty, the original of which is in French. I gave Mr. Brent directions for having the copy of the Treaty, with the ratification of it, made out to be signed. But the morning was absorbed in reading the papers and in discovering that those the most essential for preparing instructions to Russell concerning the claims are not to be found.

25th. Mr. Onis, the Spanish Minister, paid a visit to take leave—going with his family to pass the summer months at Bristol, Pennsylvania. He said something about the note he sent me last week against the late settlement of Frenchmen under Lallemand, at Galveston.

I told him he knew more about it than we did; that we might perhaps send troops to break up the establishment and take possession of the place as being within our territory, but he had objected to such a measure heretofore. He said he had thought such violent measures unnecessary, and they certainly would be so now, as the Viceroy of Mexico wrote him that he had eighty thousand men under his command. Upon which I laughed heartily. "You laugh," said Onis, "at my saying the Viceroy has eighty thousand men." "No," said I; "but I was thinking how easily the Viceroy with that army will dispose of a hundred and fifty Frenchmen under Lallemand." "But,"

said Onis, "there are two thousand of them." "My word for it," said I, "not two hundred."

"Well," said he, "as for the Viceroy's eighty thousand men, I do not vouch for them, but so I assure you he writes to me." He said he was very confident of the success of Spain at Buenos Ayres; but he was afraid of the war of Caraccas; that Bolivar had been totally defeated by Morillo, so that the war would have been at an end, but Bolivar had received after the battle a reinforcement of four whole English regiments, which had enabled him to resume the offensive, and now he was afraid even for Carthagena and Porto Bello. He spoke with much exasperation against the English, and said he had always advised his Government against referring the contest with the Colonies to the mediation of the allies.

I told him there was a young man named Serra (he said it must be Cerna) coming out to him, at which he appeared to be somewhat surprised.

26th. At noon I attended the meeting at the President's. All the members of the Administration were there. The President proposed the consideration of the questions whether the new negotiation should be proposed to the British Government, and whether, in the event of their accepting the proposal, Mr. Gallatin should be joined with Mr. Rush for the management of it on our part. The opinion in favor of both measures was unanimous. There was much conversation upon the various subjects which would be included in the negotiation, but no apparent difference of opinion upon any of them. The President directed me to prepare the instructions and documents to be forwarded for this joint mission. I left with him the draft of the dispatch to Mr. Gallatin for his revisal.

*June* 9th. We spent the evening at the French Minister Hyde de Neuville's—a small musical party. Mr. Bagot spoke to me of certain publications in the newspapers, mentioning the execution by sentences of court-martial, under the orders of General Jackson, of two Englishmen, named Arbuthnot and Ambrister, taken with the Seminole Indians in this war. These publications say that the evidence against them proved the greatest perfidy on the part of the British Government. Mr.

Bagot was very much hurt by this charge of perfidy, for which he said there was not the slightest foundation.

I told him that I had seen none of General Jackson's dispatches giving an account of these transactions; that I knew not from whom, or whence, the newspaper publication came; that I was very sorry that any white men, and especially Englishmen, had been found with these Seminoles; that I did not know how long the British Government had continued, or when they had closed their connection with the Seminoles, formed by Colonel Nicholls during the late war, but Nicholls had made what he called a treaty offensive and defensive with them after the peace; that I had by orders from this Government remonstrated against it, both verbally and in writing, to Lord Bathurst and Lord Castlereagh, who had verbally disavowed Nicholls's treaty, but never in writing, which I had much regretted. He renewed the assurance that the charge of perfidy against his Government was entirely without foundation.

18th. The President spoke of the taking of Pensacola by General Jackson, contrary to his orders, and, as it is now reported, by storm. This, and other events in this Indian war, makes many difficulties for the Administration.

21st. I received yesterday two anonymous letters, one warning me to beware of the Ides of March and of South American emissaries, and the other disclosing a pretended conspiracy of another kind against me. I put them on my file, and wait to see if any event will disclose the real motives of the writers, which are manifestly different from their apparent purport. I wrote several private letters, and received dispatches from Messrs. Gallatin and Eustis; also a remonstrance from the Spanish Minister, Onis, against General Jackson's late proceedings in Florida.

25th. Mr. Bagot sent me a note asking an interview, for which I appointed three o'clock. He came, and said that as he was about sending a messenger to England, it would be expected that he should say something about the execution of the two British subjects, Arbuthnot and Ambrister, and the occupation of Pensacola by General Jackson. He asked if copies of the proceedings of the Court-martial had been received.

I told him they had not, nor any official account of the taking of Pensacola. I could without hesitation tell him, however, that this measure was not authorized by the Government, and was unexpected. General Jackson's dispatches would no doubt disclose his motives, of which it was not possible to judge by anticipation.

He said he had never for a moment believed that General Jackson had been authorized to take Pensacola. As to the case of the two men, he could not undertake to say beforehand that there was no possible circumstance which would warrant their execution—he could not indeed imagine any—but the proceedings of the Court-martial might show them.

As I was willing to change the subject of conversation, I asked him if he had any late intelligence from England, particularly with regard to Spanish and South American affairs. He had none.

I said I wished that in writing to his Government he would remind Lord Castlereagh of his promise, made through him (Bagot) last January, to communicate to us very shortly what the allies were doing about South America.

He said he was convinced there was no other cause for the delay than that Lord Castlereagh knew nothing further himself —that nothing further had been done.

I mentioned Rivadavia's letter to Lord Castlereagh, and the Moscow memoir, both of which we had received from other sources, and which he might have communicated; and I desired him to urge upon his Government the necessity of communicating freely with us of their acts and intentions, if they expected from us a course harmonizing with theirs. I then entered at large upon the question what the allies would, and what they could, do, and declared the conviction that there could be no rational interference of foreign powers in that quarrel, but on the basis of the independence of the South Americans—to which he opposed nothing as argument.

26th. At the President's. He had concluded to go from the city this evening to his farm, in Loudoun County, Virginia, thirty-three miles distant from hence; and, though the moment is very critical, and a storm is rapidly thickening, he has not

read many of the papers that I left with him, and he puts off everything for a future time. After some conversation with him on the case of Captain Obed Wright, and of Mr. Bagot's call upon me yesterday, and on the proceedings of General Jackson, I left him. At the office soon afterwards I received a note from him, saying that he had conferred with the Attorney-General upon Captain Wright's case; that Mr. Crawford and Mr. Wirt would call at the Department of State, when we must settle what should be done, and I must inform him of the result. They accordingly came, and after much discussion we agreed in opinion that Wright should be first tried before the Circuit Court of the United States, and if they should disclaim the jurisdiction, he should then be left for trial to a militia court-martial of the State of Georgia. As it was past five o'clock before we came to this conclusion, Mr. Crawford and Mr. Wirt declined waiting to subscribe to it as a written opinion, and left me to draw it up and communicate it to the President, which I did. After dinner there came to my house a Mr. Zamorana, Spanish Consul, with a huge packet of dispatches from G. W. Erving, forwarded from the Spanish Minister, Onis, at Bristol. There were also two notes from Onis himself, one communicating the release of R. W. Meade, and the other asking explanations of the article in the National Intelligencer, purporting that General Jackson had taken Pensacola by storm.

30th. Rode to the Treasury Office, and held a consultation with Mr. Crawford and Mr. Wirt on the commission to be issued for the trial of Captain Wright. We agreed that the commission could not issue till after he shall have been legally apprehended, and that then the commission must go to two Judges of the Supreme Court and the Judge of the District Court of Georgia. No such commission has yet issued under the law, and I am much concerned lest by some law quibble a flaw may be found in it which will defeat the prosecution.

*July* 7th. I was roused from bed by a servant from the Spanish Minister Onis, who brought me a note from him, informing me of his arrival in the city, and asking for an interview as soon as possible, upon objects of the highest importance to Spain and to the United States.

8th. I received a note from Mr. Hyde de Neuville, the French Minister, asking an interview this morning upon an affair of importance, and requesting if I should go late to my office, to see him previously, at my house. I answered his note, and appointed eleven o'clock to see him at my house. He came at the time, and had an hour's conversation with me on the subject of the taking of Pensacola. He began by taking up the subject in a very grave tone, shaking his head and saying it was a very disagreeable affair, but he was convinced it had been an act of General Jackson's to which he was not authorized by his instructions. He had not yet seen Mr. Onis, but was going to see him immediately, and he wished to know if he might tell him that Jackson had no instructions to take Pensacola.

Perceiving what he was aiming at, I said that the dispatchés from General Jackson had been received yesterday and immediately forwarded to the President; that I could say nothing official until I should receive his instructions, but I advised him (De Neuville) not to say one word to Onis which should lead him to expect that Jackson's proceedings would be disavowed by the President, for my private opinion was that the President would approve them, and I entered at large upon the grounds of justification for them. His fervor was quite cooled down before he left me, and he appeared convinced that, however we deprecate war as an evil, we are not to be frightened with it as a bugbear. I went to the office and sent word to Mr. Onis that I would see him at two o'clock, when he came. I had a similar scene to go through with him as with De Neuville, but with less success. He left me with a new note on the affair of Pensacola, which he requested me to answer, and told me at the same time that he had received new instructions from Spain, which would have enabled him to conclude a treaty with me satisfactory to both parties if it had not been for this unfortunate incident, and asked if I had transmitted instructions to Mr. Erving by which he could conclude with Mr. Pizarro.

I told him no new instructions had been sent Mr. Erving on the idea that the treaty would be concluded there; but if he (Onis) had such instructions as he alleged, I did not see why we

should not conclude it here. He again asked an answer to the note which he delivered to me, and I promised him he should have it. Dined with Mrs. Adams at Mr. Hyde de Neuville's; a company of twenty persons—Crawford, Wirt, Decatur, Orr, the Mayor, and others. After dinner, I had another long conversation with Mr. De Neuville on Pensacola, and apparently completed his conviction to such a degree that he talked of going to France to give the explanations in person.

10th. Had an interview at the office with Hyde de Neuville, the French Minister—all upon our affairs with Spain. He says that Spain will cede the Floridas to the United States, and let the lands go for the indemnities due to our citizens, and he urged that we should take the Sabine for the western boundary, which I told him was impossible. He urged this subject very strenuously for more than an hour. As to Onis's note of invective against General Jackson, which I told him as a good friend to Onis he should advise him to take back, he said I need not answer it for a month or two, perhaps not at all, if in the mean time we could come to an arrangement of the other differences.

11th. Mr. Onis, the Spanish Minister, called on me at my house to talk of the negotiation. He was more tractable upon the subject of Pensacola; said General Jackson had misunderstood Governor Masot's allusion to force; that he had only meant to say that if Jackson attacked him he would repel force by force. Onis said further that there was an article in the capitulation which he had not seen when he wrote his note to me, and which took away part of the aggravation of the case. It was the promise to restore the place in suitable time. He said he had felt it to be his duty to write the note, but that it needed not interrupt the progress of our negotiations, or of those between Mr. Pizarro and Mr. Erving, if we preferred having the treaty concluded there. I told him that was out of the question, but that we were ready to conclude here.

He then said they were willing to give us the Floridas for nothing, and, as there were large claims of indemnity for depredations on both sides, they were willing to set them off against each other, each of the two Governments undertaking to indemnify its own people. For all this they would only ask of

us to take the boundary westward at the Calcasieu or Mermentau, from the mouth to the source, thence a line to pass between Adeas and Natchitoches to the Red River, and from that to the Missouri.

I told him all the other points would now be easily adjusted but this last, which was impossible. But we would adjust the rest, and leave that in the same state as it has been hitherto, to be adjusted hereafter. To this, however, he would not at all listen. We parted without any prospect of approximating.

This was my birthday, and I commenced upon the fifty-second year of my age. It was a day of gratitude to Heaven for all the blessings bestowed upon me and my family; of prayer for the continuance of the bounties of Providence, so far as is compatible with the decrees of an all-wise Disposer; of humiliation for my own weaknesses and deficiencies, both of body and mind; and of humble hope that supreme goodness and power will open to me an issue from the trial which I am now undergoing, useful to my country, and honorable to myself. Above all, that, till I die, I may not suffer my integrity to depart from me, and that whatever dispensation of Providence hereafter awaits me, I may be prepared to receive it with prudence, temperance, justice, and fortitude.

13th. Mr. Onis told me he should leave the city this day to return to Bristol. He insists upon an answer to his note of complaint against General Jackson, and postpones his proposals for the negotiation till he receives further instructions. Mr. Calhoun is extremely dissatisfied with General Jackson's proceedings in Florida; thinks Jackson's object was to produce a war for the sake of commanding an expedition against Mexico, and that we shall certainly have a Spanish war. The President returned to the city this evening in the midst of the storm.

14th. I called upon the President at his house, and gave him the translation of Onis's last note on the capture of Pensacola, and other papers of importance. I find him very much embarrassed what course to pursue in this transaction. He directed a Cabinet meeting for to-morrow at noon.

15th. Attended the Cabinet meeting at the President's, from

noon till near five o'clock. The subject of deliberation was General Jackson's late transactions in Florida, particularly the taking of Pensacola. The President and all the members of the Cabinet, except myself, are of opinion that Jackson acted not only without, but against, his instructions; that he has committed war upon Spain, which cannot be justified, and in which, if not disavowed by the Administration, they will be abandoned by the country. My opinion is that there was no real, though an apparent, violation of his instructions; that his proceedings were justified by the necessity of the case, and by the misconduct of the Spanish commanding officers in Florida. The question is embarrassing and complicated, not only as involving that of an actual war with Spain, but that of the Executive power to authorize hostilities without a declaration of war by Congress. There is no doubt that *defensive* acts of hostility may be authorized by the Executive; but Jackson was authorized to cross the Spanish line in pursuit of the Indian enemy. My argument is that the question of the constitutional authority of the Executive is precisely there; that all the rest, even to the order for taking the Fort of Barrancas by storm, was incidental, deriving its character from the object, which was not hostility to Spain, but the termination of the Indian war. This is the justification alleged by Jackson himself, but he also alleges that an imaginary line of the thirty-first degree of latitude could not afford protection to our frontiers while the Indians could have a safe refuge in Florida, and that all his operations were founded on that consideration.

Calhoun, the Secretary at War, generally of sound, judicious, and comprehensive mind, seems in this case to be personally offended with the idea that Jackson has set at nought the instructions of the Department. The President supposes there might be cases which would have justified Jackson's measures, but that he has not made out his case. Some of the newspapers, especially in Georgia and Virginia, without waiting for the evidence of facts, have commenced attacks, both upon the Administration and upon General Jackson, and the fear of charges of usurpation, of duplicity,

and of war, operates to such a degree that there is not vigor to bear out the bold energy of Jackson; and there seems a wish not only to disavow what he has done, but to depreciate even the strong reasons which he alleges for his justification. Standing alone in my opinions, and finding that they necessarily had little weight while counteracting feelings as well as opinions, I developed them not so fully as I might have done, but obtained an adjournment of the question and meeting until to-morrow.

16th. Second Cabinet meeting at the President's, and the question of the course to be pursued with relation to General Jackson's proceedings in Florida recurred. As the opinion is unanimously against Jackson excepting mine, my range of argument now is only upon the degree to which his acts are to be disavowed. It was urged that the public dissatisfaction at the taking of Pensacola is so great that the Administration must immediately and publicly disclaim having given any authority for it, and publish all the instructions given to him to throw the blame entirely upon him. There was a violent attack upon him and his measures in the Richmond Enquirer, which came this morning, and which Wirt said he had no doubt was written by Judge Roane. I did not conceive it necessary to make of this affair an immediate newspaper negotiation for public opinion. Crawford said that if the Administration did not immediately declare itself and restore Pensacola, it would be held responsible for Jackson's having taken it, and for having commenced a war in violation of the Constitution; that the people would not support the Administration in such a war; that our shipping, navigation, and commerce would be destroyed by privateers from all parts of the world, under the Spanish flag, and that the Administration would sink under it.

I thought it would be quite in time if all the documents relating to the subject should be communicated to Congress at their next meeting, by which means they would naturally become public; that to disavow and publish now would look like a disposition entirely to put down Jackson in the public opinion; that he would immediately resign, and turn the

attack upon the Administration, and would carry a large portion of the public opinion with him; that Pensacola might be restored, and its capture by him still justified; that I did not believe war would follow from this measure, though I admitted it might; that if it should, it would seriously injure, but not destroy, our shipping and commerce; that the only privateering against us to be apprehended would be from English people, and that to no very great extent; that the Administration would stand or sink under the war, according to its success; and that in this, and in all other cases, the event must rest with the Disposer of events.

In the interval of the discussion I went to my office, and received Hyde de Neuville. He is extremely anxious for the preservation of peace, and desirous of contributing to it. He looked over the map, and I marked out the boundary which it had been agreed at the President's that I should be authorized to offer; the Trinity, from its mouth to its source, then a line north to the Red River, following the course of that to its source, then crossing to the Rio del Norte, and following the course of it, or the summit of a chain of mountains northward and parallel to it; there stop, or take a line west to the Pacific.

De Neuville said he would himself go and propose this line to Onis, at Bristol; but Onis would probably not dare to conclude without first having an answer to his note complaining against Jackson and the capture of Pensacola.

I told him I should answer Onis's note; that he would be told that Jackson had taken Pensacola without orders, and upon his own responsibility; that the place would be restored, but that no blame could be admitted as attaching to General Jackson, and strong charges would be made against the Governor of Pensacola and the Commandant at St. Mark's.

He asked if I could not write a note passing lightly over the conduct of the officers on both sides, and stating that Pensacola would be restored, with the expression of regret at what has taken place. If I could, he would himself take the letter to Mr. Onis, at Bristol, and if, on conversing with him, he found him prepared to agree to the terms of a treaty

which would be satisfactory to us, he would deliver the letter to him; if not, he would bring it back.

I returned to the President's, and, after consideration of this proposal, it was determined to accept the offer of Mr. De Neuville, if he thought fit to use his influence with Mr. Onis to prevail upon him to agree to our terms, but that the answer to Onis's note must be totally disconnected with the success of the negotiation, and delivered to him at all events.

17th. Cabinet meeting at the President's—the discussion continued upon the answer to be given to Onis, and the restoration of Florida to Spain. The weakness and palsy of my right hand make it impossible for me to report this discussion, in which I continue to oppose the unanimous opinions of the President, the Secretary of the Treasury Crawford, the Secretary of War Calhoun, and the Attorney-General Wirt. I have thought that the whole conduct of General Jackson was justifiable under his orders, although he certainly had none to take any Spanish fort. My principle is that everything he did was *defensive;* that as such it was neither war against Spain nor violation of the Constitution. The development of this principle in its application first to the facts, then to the laws of nations, and lastly to the Constitution, and the defence of it against the objections of the President, and of all the other members of the Cabinet present, engaged us again till five o'clock, and deeply do I lament that I cannot record it. I at first contended that we should keep Pensacola, upon the principles on which Jackson had taken it, till Spain should give us a guarantee that she would fulfil her engagement by restraining the Indians from hostilities. But I see difficulties in holding Pensacola without an act of Congress, and now urge that the taking may be justified, and yet the place restored, on the express condition that hereafter Spain shall fulfil her treaty.

The President had this day made a draft for a note from me to Onis, which was taken as a text to be debated. I finally took with me this draft of the President's, and am to make one out from it for further consideration.

18th. Made the draft of a note to Onis for consideration,

and prepared an amendment, going to the entire justification of Jackson's operations. Mr. Crawford called here with a project for designating a certain number of sea-ports at which alone armed vessels of foreign nations should hereafter be permitted to enter. All this only for the purpose of preventing indirectly the piratical privateers under South American colors from coming to Baltimore and smuggling. I put the question whether this measure would not be complained of by foreign Governments as unusual. It was therefore postponed for the present.

Cabinet meeting at the President's. My draft and amendments were discussed, and every part of the letter which imported a justification of Jackson's proceedings struck out. The letter was modified so as to be made exactly conformable in substance to the President's original draft—the language only is mine. I placed in every point of view that could occur to me the principle justifying the proceedings of Jackson, but without producing any impression. It was, however, determined that the President should write a friendly letter to Jackson, communicating to him a copy of the answer to Onis, and mentioning the constitutional grounds upon which Pensacola would be restored. Mr. Wirt had also prepared the draft of an article upon the subject, to be published in the National Intelligencer, the discussion of which was continued till dinner was announced.

19th. I took after dinner a long walk over the fields, and after returning home found Mr. Hyde de Neuville had been at my house and expressed a strong wish to see me. He had left a request that I would call at his house. I went, and we passed an hour there. I told him what the answer to Onis's note would be, and, as it would not be exactly such as he had wished, I said I presumed he would prefer that it should be sent by the mail to taking it himself, which he did. He said, however, that he thought Onis ought to be satisfied with such a letter as I described, and that he would go to Bristol and urge him to come forward with his propositions. I promised to show him the letter for Onis when it should be prepared.

20th. Received this morning a note from the President re-

questing me to insert some additional paragraphs in the letter to Mr. Onis, of which I accordingly prepared a draft. Looking over General Jackson's letters, it struck me there was a new point of view in which his conduct in taking Pensacola was defensible, and at the Cabinet meeting I presented it again, and argued it with all the force I could. It appeared to make some impression upon Mr. Wirt, but the President and Mr. Calhoun were inflexible.

My reasoning was that Jackson took Pensacola only because the Governor threatened to drive him out of the province by force if he did not withdraw; that Jackson was only executing his orders when he received this threat; that he could not withdraw his troops from the province consistently with his orders, and that his only alternative was to prevent the execution of the threat. I produced as authority Martens, book 8, ch. 2, s. 226, and ch. 6, s. 267. I insisted that the character of Jackson's measures was decided by the intention with which they were taken, which was not hostility to Spain, but self-defence against the hostility of Spanish officers. I admitted that it was necessary to carry the reasoning upon my principles to the utmost extent it would bear to come to this conclusion. But, if the question was dubious, it was better to err on the side of vigor than of weakness—on the side of our own officer, who had rendered the most eminent services to the nation, than on the side of our bitterest enemies, and against him. I glanced at the construction which would be given by Jackson's friends and by a large portion of the public to the disavowal of his acts. It would be said that he was an obnoxious man; that, after having the benefit of his services, he was abandoned and sacrificed to the enemies of his country; that his case would be compared with that of Sir Walter Raleigh.

Mr. Calhoun principally bore the argument against me, insisting that the capture of Pensacola was not necessary upon principles of self-defence, and therefore was both an act of war against Spain and a violation of the Constitution; that the Administration, by approving it, would take all the blame of it upon themselves; that by leaving it upon his responsibility they would take away from Spain all pretext for war, and for

resorting to the aid of other European powers—they would also be free from all reproach of having violated the Constitution; that it was not the menace of the Governor of Pensacola that had determined Jackson to take that place; that he had really resolved to take it before; that he had violated his orders, and upon his own arbitrary will set all authority at defiance.

The President heard with candor and good humor all that I said, but without any variation from his original opinion, and my draft of a note to Onis, with all its amendments, was finally fixed precisely on the grounds of the President's original sketch.

21st. The pressure of business, anxiety of mind, and the heat of the weather, combining, affect my health, and especially the repose of the night. I was the last night quite unwell. At noon I had an interview at the office with Mr. Bagot, when he again enquired if I could furnish him with copies of the proceedings of the Courts-martial upon the two British subjects executed by General Jackson. These papers have not yet been received. I promised him, when they should come, to give him immediate notice of them. He complained of the manner in which Arbuthnot had been taken, as treacherous, and repeated to me the story that Onis had told me before, and which he doubtless had from the Commandant of St. Mark's. I avoided discussion with him on the subject as much as possible, but I saw that he felt strong resentments against Jackson.

There was a Cabinet meeting, at which the second draft of my letter to Mr. Onis was read and finally fixed. Mr. Wirt read what he called a second edition of his article for the National Intelligencer. I strenuously re-urged my objections, especially to a paragraph declaring that the President thought he had no constitutional power to have authorized General Jackson to take Pensacola; and to another holding out a hope to the public that, notwithstanding this collision between the officers of the two Governments in Florida, yet we shall soon have an amicable settlement of all our differences with Spain, and obtain the cession of the Floridas too. But I could make no more impression upon either of these points than upon those in the note to Onis. To all my objections,

offers were made to vary the phrase, or to strike out parts of sentences, but still adhering to the disclaimer of power. I finally gave up the debate, acquiescing in the determination which had been taken. The Administration were placed in a dilemma from which it is impossible for them to escape censure by some, and factious crimination by many. If they avow and approve Jackson's conduct, they incur the double responsibility of having commenced a war against Spain, and of warring in violation of the Constitution without the authority of Congress. If they disavow him, they must give offence to all his friends, encounter the shock of his popularity, and have the appearance of truckling to Spain. For all this I should be prepared. But the mischief of this determination lies deeper: 1. It is weakness, and a confession of weakness. 2. The disclaimer of power in the Executive is of dangerous example and of evil consequences. 3. There is injustice to the officer in disavowing him, when in principle he is strictly justifiable. These charges will be urged with great vehemence on one side, while those who would have censured the other course will not support or defend the Administration for taking this. I believe the other would have been a safer, as well as a bolder course.

Calhoun says he has heard that the Court-martial at first acquitted the two Englishmen, but that Jackson sent the case back to them. He says, also, that last winter there was a company formed in Tennessee, who sent Jackson's nephew to Pensacola and purchased Florida lands, and that Jackson himself is reported to be interested in the speculation. I hope not.

22d. My letter to Mr. Onis being now prepared, I sent for Mr. Hyde de Neuville, who came to the office, and gave it him to read. He professed to be very well satisfied with it, and said he would go to-morrow morning for his seat in the Jerseys, and would spend two or three days with Onis, at Bristol, on his way. He would use all his influence with him to persuade him to make his proposals, and urge his conviction that if they are not made it will be impossible to get through the next winter without a war between this country and Spain. He added that Onis had said something to him about an

article stipulating not to acknowledge the South Americans, but he thought he could not insist upon that.

I told him it must be altogether out of the question. Spain could not ask for such a stipulation of any European nation, and we certainly should not set the example of agreeing to it. If Mr. Onis persevered in this suggestion, it would afford complete proof that neither he nor his Government intend an adjustment of their differences with the United States at present.

23d. I was with the President from noon till past three o'clock, taking his directions upon various objects which cannot be acted upon without his orders. I gave him my draft of instructions to Mr. Gallatin and Mr. Rush for the proposed special negotiation, which I had finished this morning. My letter to Mr. Onis was dispatched this morning. I had also made a draft of a proclamation declaring the discriminating tonnage duties repealed with regard to the vessels of Bremen, which he approved, and directed a similar proclamation with regard to the vessels of Hamburg.

24th. Finished the draft of instructions for A. H. Everett as Chargé d'Affaires in the Netherlands, which I took to, and left with, the President. He returned me the draft of instructions for Gallatin and Rush with a few observations; but the Florida business and General Jackson absorb so much of his cares and anxieties, that every other subject is irksome to him, so that he can give little attention to it. He had given Gales, one of the editors of the National Intelligencer, the paragraph prepared for that purpose by Mr. Wirt. Gales had told him it had got abroad that there was a division of opinion among the members of the Administration on the point of approving or disavowing Jackson's proceedings. He had answered there had been diversity of opinion, as naturally happened upon all important measures, but that all were agreed upon the result, and he said Gales wanted to add that the opinion of the members of the Administration had been unanimous.

I observed that I had acquiesced in the ultimate determination, and would cheerfully take my share of the responsibility for it; but I could not with truth say it had been conformable to my opinion, for that had been to approve and justify the

conduct of Jackson; whereas it was disavowed, and the place that he had taken was to be unconditionally restored. The President thought we had justified Jackson as far as was possible.

25th. At the President's, I found he had determined to leave the city and return to his farm at Little River, near Aldie, in Loudoun County, Virginia. He desired to keep the draft of instructions to A. H. Everett for further examination. He told me he had revised the article to be published in the National Intelligencer, and struck out some passages to which I had objected. He is still so much absorbed in this subject that he relucts at thinking of any other—so that when I am talking to him about the proposed negotiation in England, the instructions for Everett, or even South America, he stops in the midst of the discourse and says something about Jackson and Pensacola.

He gave me yesterday two letters to read in confidence, as they had been communicated to him. One was from Judge Bland at Buenos Ayres, to J. S. Skinner, the Postmaster at Baltimore, and the other from General Winder to the Supreme Director Pueyrredon. Bland's letter is long, private, and confidential—contains much information concerning the state of the country, a decided opinion that they will never again submit to the dominion of Spain, and an opinion equally strong that the Government of the United States ought not at present to recognize that of Buenos Ayres. He has a very bad opinion of Pueyrredon, and still worse of his Secretary of State, Tagle.

I asked the President whether the other two Commissioners entertained the same opinions as Judge Bland. He said he did not know. I said that much would depend upon that, as Congress would doubtless look to their report, particularly with a view to the question whether Buenos Ayres was to be acknowledged or not. He said they would only state facts, and give no opinion of their own. I told him that would be very well if they should state all the facts, but many of those stated by Judge Bland, and precisely those upon which *he* had made up his opinion, were of a nature not to be officially and publicly stated, and yet if they were suppressed it would be impossible

to give a view of the state of things upon which any reliance could be placed.

He showed some little impatience of manner at these remarks, and passed to another subject. Two days ago he had very abruptly asked me to see Mr. Bagot and propose through him to the British Government an immediate co-operation between the United States and Great Britain to promote the independence of South America. I asked him what part of South America. "All South America, and Mexico, and the islands included." I told him I thought Great Britain was not yet prepared for such a direct proposition; and, entering into details, I immediately found it was a crude idea, which he immediately abandoned. But I conjectured that either Rodney and Brackenridge, or the Richmond Enquirer, had put it into his head. For the Richmond Enquirer, which Clay's Kentucky Reporter calls the President's domestic paper, is, on the contrary, the paper by which Virginia works upon the President. Its influence is much more upon him than for him, and it is excessively impatient for the acknowledgment of Buenos Ayres. Winder's letter to Pueyrredon was to decline the appointment of Agent for Buenos Ayres here, which had been sent him, and with it was a long and judicious argument to convince him that the formal acknowledgment of Buenos Ayres by the Government of the United States would be contrary to the interests of both.

28th. I consulted with Mr. Calhoun upon various subjects. Ten Cate sent me a private note, stating that he found a difficulty in negotiating drafts upon his Government, and enquiring if this Government could give him any assistance to that purpose. Calhoun thought he ought to be accommodated for a moderate sum.

The President had directed that persons should be appointed to run a new line between the State of Georgia and the Creek Indians, upon a request from the Governor of Georgia. As it is to be done through the Department of War, Calhoun promised immediate attention to it.

There are new difficulties suggested to the appointment of a special Court for the trial of Captain Obed Wright, and Mr. Calhoun agreed with me in opinion that the best course would

be to refer the trial to the ordinary Circuit Court which is to sit in Georgia next December.

Calhoun spoke also upon the subject of South American affairs. Mr. Bland's letter to Skinner gives an opinion very explicitly against the recognition of the Government of Buenos Ayres, but Calhoun says Rodney is of a different opinion, as well as Brackenridge, the Secretary to the Commissioners, and although no report has yet been made to the Government, Rodney and Brackenridge are filling the newspapers, through the Delaware Watchman, with publications to operate on the public opinion in favor of the recognition. It appears from Bland's letter to Skinner that he quarrelled with Brackenridge on board the ship, and that they had no intercourse with each other after they landed.

Calhoun is also anxiously waiting to see the effect on the public opinion of the course adopted by the Government with regard to Florida and General Jackson. The article for the Intelligencer was published yesterday morning. Nothing said about unanimity in the Cabinet; the disclaimer of power in the Executive to have given Jackson authority to take Pensacola entirely struck out, and the restoration placed on the footing of the President's incompetency to retain it. There is in the country a great mass of desire to be in opposition to the Administration. It is a sort of instinctive impression that Mr. Monroe's Administration will terminate by bringing in an *adverse* party to it. This of itself engages all the newspapers not employed by public patronage, but desiring it, and many of those possessing it, against the Administration. This propensity to blame is still increased by an affectation of showing their independence, and escaping the charge of subserviency to the Executive. All the restless and uneasy spirits naturally fall into the ranks of opposition, and Clay, who has seen all this, has, from the time of Mr. Monroe's election, squared his conduct accordingly. He has been constantly looking out for positions upon which to erect his batteries against the Administration. And this affair of Florida appears so favorable to him, that in his newspaper, the Kentucky Reporter, there is a piece which the President told me was said to be written by him,

and where he takes ground against the Administration upon both the alternatives, if they should have authorized Jackson's proceedings, or if, disavowing them, they should restore Pensacola.

The truth is, that there is in this, and perhaps must be in every Administration in this country, a perpetual tendency to fall, as well as leaders of opposition always on the watch to trip them up or pull them down. Whatever their management may be, nothing but success can keep them up. Success is undoubtedly the effect partly of judicious management and partly of good fortune. The points upon which important interests in this country are depending, and upon which success or failure will affect the issue of the Administration, are the relations with Spain, those with Great Britain, and Indian affairs. The Spanish include those with South America. Now, upon neither of these points is any great and signal successful event to be expected, even if possible; and while opposition will be recruiting and mustering forces from every quarter, the Administration will be upon a perpetual defensive and constantly losing ground. Virginia is already lukewarm to the President, and shows a disposition to dictate to him his measures without scruple or delicacy. The Richmond Enquirer, which is the voice of Virginia, speaks to him like a master to his slave. As there is no present prospect that a citizen of Virginia can be raised to the next Presidency, the *pis-aller* of Virginia will be to put in a native of that State residing in another, for which either Clay or Crawford will serve the turn. An anonymous letter-writer has asserted that the intention of Virginia, after Mr. Monroe's turn, will be to set up John Randolph, which I doubt; but that nothing less than a Virginian will satisfy Virginia is to me perfectly demonstrated. These reflections may be pursued hereafter. I told Calhoun I was convinced the course taken by the Administration was the safe course, and would be approved by the great majority of the people. Its safety consists in this, that in every event it throws off the blame of commencing war, and it takes away all possible complaint in or by Congress.

31st. This day I resumed the draft of a report upon weights

and measures, which, since the commencement of the late session of Congress, I have been compelled to lay aside.

*August* 1st. Mr. Bagot called upon me at the office, and we had conversation upon various subjects. The British Cabinet, and particularly Lord Castlereagh, have been much annoyed by a report of a committee of the House of Representatives, at the last session of Congress, which remarked that the four articles proposed by Lord Castlereagh, as a projected addition to the commercial Convention of 3d July, 1815, had been promptly rejected by this Government, although three of them might have been acceptable, because the fourth would have been incompatible with the policy of the United States, of excluding foreigners from intercourse with the Indians within our territories. Lord Castlereagh has addressed a note on the subject to Mr. Rush, disavowing any such intention, and asking by what course of reasoning the committee came to their conclusion. We have not yet received a copy of this note from Rush, but Lord Castlereagh sent one to Mr. Bagot, who showed it to me.

I told him that I could not say how the committee had reasoned, having had no communication with them other than that of transmitting the papers to them. He then spoke of our Navigation Act of the last session, which requires that British vessels laden in our ports should give bonds with securities not to unlade their cargoes in any port from which vessels of the United States are excluded. He complained that with regard to British vessels unequivocally engaged only in the direct trade between the British ports in Europe and the United States, this provision subjected them to a charge other than those to which the vessels of the United States are subject, and this was incompatible with the Convention of 3d July, 1815, particularly that part which requires securities. This was to be strictly considered as an additional charge, which the owners of British vessels trading here as strangers could probably not effect without paying a commission, which is usually charged in such cases.

I told him that these bonds could not be considered as an additional charge; that in bona fide cases there could be no

possible difficulty for the masters of vessels to obtain securities, as the most respectable merchants in the country would very readily give them without charge for the benefit of the consignment; that in a case bearing much analogy to this I had addressed his Government, noticing a *restriction* upon American vessels in England, to which British vessels were not subject, as being a charge within the intent of the Convention of 1815; but his Government did not agree with my reasoning, or allow the restriction to be removed. However, if he would address me a note on the subject, it should receive all proper consideration, and we should readily yield every accommodation compatible with the necessity of carrying our law into effective execution.

He spoke also upon the fisheries, and said Lord Castlereagh had written him that orders had again been issued to the naval officers on the American station to suspend the captures of American fishing vessels for the present season. This measure had been taken, although the British Government had waited month after month to receive the proposals which had been so long and so frequently promised here.

I told him that the delays which had occurred to the making of those proposals had not been intentional, but occasioned by the varying information which had been received from the parts of the country most interested in the fisheries; and I added that if Mr. Gallatin and Rush, to whom I should this day dispatch the final instructions for their commercial negotiation, should not be able to conclude an article upon this subject, it would be our wish that a final decision by the Lords of Appeal, on the legality of the captures of our fishing vessels, should take place, upon a full and solemn argument of all the questions involved in it. I asked him whether Consuls of the United States would be admitted into the free ports established by the late acts of Parliament. He said he did not see that there could be any objection to it, but perhaps the Governors might not feel themselves authorized to admit them. He would, however, immediately write to ascertain. I sent off to New York the dispatches for Messrs. Gallatin and Rush.

8th. Resuming the researches necessary to prepare a draft

upon weights and measures, I find my time again so absorbed by them that I can make scarce any progress with the report itself.

At the office I found a note from Don Manuel H. de Aguirre, the Agent from Buenos Ayres, asking for an interview. I sent him a note appointing three o'clock for that purpose; but it was four when he came, and he was with me an hour. He began by complaining of his having been arrested at New York, by a warrant from Judge Livingston. He said that for some weeks past his house had been a mere house of marshals and sheriffs and officers of the law; that he had once been arrested in the streets, and once taken out of his bed at midnight, by processes at law commenced, or instigated, by the Spanish Consul, though I had told him he might consider himself here as a public Minister.

I told him that he had very much mistaken me; that I had very distinctly informed him that he could not be considered here as a public Minister, for two reasons—one, because the Government from which he came was not recognized; and the other, because he had produced no credentials, or powers, as a public Minister, his commission styling him only Agent, and his letters to the President giving him no authority to negotiate whatever; that upon both these grounds it was not in the power of the President to exempt or protect him from arrest; that no persons other than public Ministers and their families were exempted from arrest, not even the President of the United States himself.

He then went over the history of his mission to this country. He was charged to build, and dispatch to the Government of Chili, six sloops of war, and came to this country with two hundred thousand dollars in cash and a power to borrow two millions. He was authorized to pledge the faith of both the Governments of Buenos Ayres and Chili for this loan; but the merchants here demanded other security, and said they would be satisfied with the guarantee of the Government of the United States. He was also authorized to offer a profit of fifty per cent. upon the cost of the vessels to any merchant who would dispatch them. Upon his arrival here, he came and informed

Mr. Rush of the object of his mission; and he told him that nothing in the law prevented the building and sending away the vessels as a commercial speculation. They had been built accordingly, and were now ready for sea, with their crews on board, lying at New York at an expense of a thousand dollars a day. But the Spanish Consuls and Agents had seduced away some of his officers and a part of his crew. It was upon the affidavits of some of his own officers that he and his Captains had been arrested by warrants from Judge Livingston. He had also been obliged to make an ostensible transfer of his two ships to his Captains, Delano and Skinner, and to have them registered in their names, and now the ships were attached to answer for the debts of those Captains. He found it therefore impracticable to execute the orders of his Government. His funds were exhausted, and his only resource now was to sell his vessels just as they are. But they are built for vessels of war, and are not salable for purposes of commerce. He came therefore now to enquire if the Government of the United States would purchase them.

I promised to lay the proposal before the President, and give him a verbal answer as soon as I shall receive it. I asked him what price he would ask for the vessels. He said he could not now exactly tell; but if the President thought the offer admissible, he would immediately ascertain. I desired him to present his proposal in writing, and he said he would bring it at two o'clock on Monday.

9th. We had a long visit from Mr. and Madame de Neuville. He returned last evening from his tour to Bristol and New York. He said he had a packet for me from Mr. Onis—a reply upon the affair of Pensacola; that Onis was extremely anxious to preserve peace, and so were the Spanish Government, but that they could not agree to the boundaries proposed by us west of the Mississippi, and he was very desirous of knowing our ultimatum on the subject.

I told him Mr. Onis's anxieties for peace were very laudable, but I supposed he was governed by his instructions; that as to the desire of the Spanish Government for peace, it was just like "Harlequin Roi" in the French play. Harlequin is made to

fancy himself a king, and whoever comes to take his commands, he always answers, "Je veux le bien," or as much as to say, "Let right be done." Just so the Spanish Government says, "Let there be peace," but will agree to nothing which is necessary to secure peace.

De Neuville promised to call upon me to-morrow and deliver the dispatch from Mr. Onis.

14th. Mr. Bagot came to the office to ask again if the proceedings of the Court-martial who sentenced the two Englishmen to be executed had been received. I told him they had not. He said the newspapers were publishing accounts of it, and he should soon have reason to believe they were in everybody's hands but his. I told him they were not in ours; that Captain Gadsden, General Jackson's Aid-de-Camp, was daily and hourly expected. General Jackson had stated that he should send by him the papers and documents which he would not trust to the conveyance of the mail. There is an editorial article in a Georgia newspaper mentioning that the editor had seen the trial, and speaking of the letters of Arbuthnot to Mr. Bagot as furnishing full proofs against the writer. I had not seen anything else; but Bagot says that he has seen in New York newspapers more particular statements. He appeared to be a good deal excited. I again promised to give him suitable notice as soon as the documents shall be received.

Mr. Calhoun also called upon me, to ask my opinion concerning certain particulars of the orders to be given to the commanding officer at Pensacola for the surrender. He concluded, however, to refer them to further orders hereafter.

15th. I received a number of packages, and among the rest James's Naval and Military History of the Late War between the United States and Great Britain. Looking into these volumes, I became so much engaged with them that they absorbed all the office hours. They are written with considerable ability, and with extreme and anxious labor to exalt the naval and military character of Great Britain by the events of the late war, and to depress that of the American people. It is an unceasing argument upon every event, with all the rancor of war in the heart of the author against the United States. It

will, accordingly, be a very popular work in England, while it will keep alive the irritable national feeling in this country. There is, no doubt, among us much vain boasting about the late war, and there is as much of it in England, but aggravated and made more ridiculous by the soreness of feeling at the disasters which they actually suffered by sea and land.

17th. Mr. Calhoun sent me a letter from Captain Gadsden, General Jackson's Aid-de-Camp, written by his direction, and stating that on the 5th of May he had dispatched to the Secretary at War, from Fort , a detailed report of all his proceedings till that time, and a copy of the proceedings of the Court-martial on Arbuthnot and Ambrister, and the original letters upon which they were condemned. These dispatches have never been received. He promises to send duplicates in a few days. I called upon Calhoun to enquire if he knew anything further of this very extraordinary circumstance—the miscarriage of those most important dispatches; but he did not.

23d. Mr. and Madame Hyde de Neuville paid us visits, and I had a further long conversation with him upon our affairs with Spain. His avowed instructions are to do everything in his power to preserve peace between the United States and Spain, and his secret instructions are to support the cause of Spain to the utmost of his power. He returned the Memoir of Count de Vergennes upon Louisiana, which he had some time since borrowed of me. After they went away, I received a note from him, mentioning that he had just got a letter from Mr. Onis, and would be glad to see me this evening at his house or mine. Mrs. Adams went there in the evening, and I called there for her. There was company, and De Neuville told me he would call at my office to-morrow at two o'clock.

24th. I called at the Attorney-General's office to consult with him upon the question proposed by the President, whether a proclamation should not issue offering a reward for the apprehension of Captain Obed Wright. Mr. Wirt was gone to Port Tobacco for the week. The French Minister, Hyde de Neuville, came to tell me the substance of the letter he had received from Mr. Onis. It was to say that he should not come

to Washington till October, and that he was yet waiting for instructions. De Neuville still urged concession on the part of the United States on the question of boundary west of the Mississippi. I told him it was out of the question. He then enquired what I should answer on a claim that France has set up to special privileges in the ports of Louisiana. It is a captious and groundless pretension, raised for the purpose of a pretext to put off the adjustment of our claims. I told him that as my answer would in substance only repeat what I had already told him in answer to a former note on the same subject, I had been reluctant at sending it to him, and had therefore not yet prepared it. He appeared to be much irritated at this, and with apparent difficulty suppressed his feelings.

Mr. Calhoun came to tell me that he had another letter from General Jackson; who has copies of all the letters which miscarried by the mail.

25th. I was at Mr. Calhoun's office, and read to him a draft of a reply to Mr. Onis on his last note concerning the capture of Pensacola. He advised some alterations, which were accordingly made.

27th. I was engaged all the morning in preparation for my journey and in drafting a letter to our Minister at Rio de Janeiro, T. Sumter, Jr., to be sent by the Macedonian frigate, which is to be dispatched immediately to the Pacific Ocean. I am obliged to leave still a great number of letters, some of them important, unanswered. It is with great reluctance that I leave my post for this short visit to my relations and friends. Other motives I should set aside, but the age of my father and mother is an admonition to improve the time of passing a few days with them while the candles burn. A partial release from the oppressive cares of my station is indeed an indulgence, but which I ought perhaps not to allow myself. After the expiration of a year, the duties of the office are as severe, and my anxieties connected with them as great, as they were in anticipation. The events of the year have been of no strongly-marked character—no public misfortune, and no good success. The Administration has been assailed in various ways, both in the House of Representatives, in Congress, and in public news-

papers—assailed both insidiously and openly, and the attack in regard to its object has been concentrated exclusively upon me. The defence has been absolutely nothing. The faithful execution of my duties, to the utmost of my power, is the only answer I can give to censure.

NEW YORK, *September* 1st.—Called about eleven o'clock at Mr. Trumbull's house, and saw his picture of the Declaration of Independence, which is now nearly finished. I cannot say I was disappointed in the execution of it, because my expectations were very low; but the picture is immeasurably below the dignity of the subject. It may be said of Trumbull's talent as the Spaniards say of heroes who were brave on a certain day: he has painted good pictures. I think the old small picture far superior to this large new one. He himself thinks otherwise. He has some books on the President's table which the Abbé Correa advised him to letter on the backs, Locke and Sidney. I told him I thought that was not the place for them. They were books for the members to read at home, but not to take with them there. I advised him to letter them simply "Journals." On returning to my lodgings, I found there Mr. R. King. I had written from Washington requesting him to call this day here, as I should not be able to visit him on Long Island. I had upwards of two hours' conversation with him on political affairs, and chiefly on our Navigation Act of the last session of Congress. I found he was adverse to the renewal of our commercial Convention of 3d July, 1815, with Great Britain. His views with regard to the taking of Pensacola, and the proceedings in Florida, coincided altogether with those which I had maintained.

2d. At eight o'clock we took the steamboat Connecticut, Captain Bunker, for New Haven. In the boat I met, among our fellow-passengers, Judge William Johnson, of the Supreme Court of the United States, with his sister and daughter. The heat of the day was extreme, my thermometer nearly at ninety, and all the morning a flat calm. We sat, nevertheless, an hour or two after dinner at table, conversing upon topics of literature and the arts. Judge Johnson, I find, is one of the anti-classical despisers of Homer and Virgil and admirers of Ossian, Fal-

coner, Walter Scott, Lord Byron, and Southey. He is a very ingenious and learned man, and defends his opinions with so much earnestness and vigor that I found it advisable, after some discussion, to waive the subject; and left him philosophizing with another of the passengers upon the construction of the steamboat and the conflicting pretensions of Fitch and Fulton.

QUINCY, 9th.—The storm continues night and day: it again prevented me from going to Boston, and again kept me confined to the house. It is but this moment that I have brought up my arrears at the approach of evening; for, having examined George in a passage of Plato's Crito, and then referred to the volume of the Bibliothèque des Philosophes containing Dacier's translation of it, I was allured by the Phædo, which immediately succeeds, and could not lay down the book until I had read it through. This delicious but unseasonable occupation consumed the morning, almost to the hour of dinner. If the study of Plato were my proper business, I should be wasting my time with something else. The reflections that have occurred to me upon this perusal of the Phædo might be useful to me hereafter if I had time to commit them to writing. The arguments of Socrates to prove the immortality of the soul are so weak that they hardly deserve the name of arguments. His principle, that all things are generated by their contraries, that heat and cold, greatness and littleness, life and death, produce each other, is an absurdity. His doctrine of innate ideas, of reminiscences, and of abstract entities is subtle, but utterly groundless. One idea only appears to me to have weight; that is, the spiritual, simple, uncompounded nature of the soul, and the inference from it that the soul is therefore not subject to death. There is something very admirable in the composure and tranquillity with which he discourses at such a moment; but there is a want of sensibility in the coldness which he shows at parting from his wife and children. The objection taken by Simmias to the immortality of the soul—that the soul is a mere harmony, resulting from the composition of the body, and its illustration by comparison with the music produced by the sound of a lyre—is so strong that Socrates by no means answers it. That of Cebes—that the soul is superior in excel-

lence and duration to the body, and may outlast several bodies, as a man wears out several suits of clothes, but yet must finally perish—is equally weak; and indeed both sides of the argument appear to me to be so wretchedly managed that as a logical controversy it is scarcely worth reading. Yet it affords an inexhaustible fund for meditation. It gave me an ardent longing for leisure, which I should but too probably waste if I had it.

19th. A continual storm of rain the whole day. I sat to Stewart before and after breakfast, and found his conversation, as it had been at every sitting, very entertaining. His own figure is highly picturesque, with his dress always disordered, and taking snuff from a large, round, tin wafer-box, holding perhaps half a pound, which he must use up in a day. He considers himself, beyond all question, the first portrait-painter of the age, and tells numbers of anecdotes concerning himself to prove it, with the utmost simplicity and unconsciousness of ridicule. His conclusion is not very wide of the truth. I dined at G. Blake's with a company of twenty-two persons, among whom was the Governor of the Danish island of St. Thomas. Mr. Holley was there, and after dinner I became involved in a conversation with him upon religious topics, which almost became a controversy. The consequence was, that the table-talk was almost engrossed by us, and the attention of the whole table was turned to us, much to my disadvantage, the topic being one upon which he was much more exercised and better prepared than I was. Mr. Webster, Mr. A. H. Everett, and one or two others occasionally relieved me by asking a question; but Holley[1] was quite a match for us all.

20th. Breakfasted with P. P. F. de Grand at his lodgings, and he discoursed with me much about the politics and the state of parties in this Commonwealth. He wishes me to take some part or interest in them, but I see no object of public usefulness to be answered by it. He told me that Mr. Monroe,

[1] Dr. Horace Holley, after serving in the ministry with great acceptance in New England, was now on the eve of departure to Kentucky, there to become President of Transylvania University, where he remained in comparative obscurity until he died, in 1827.

just before he made the appointment of Secretary of State, wrote a note to Judge Story, requesting to see him, and when Story went to him, he said it had been his intention to appoint me Secretary of State, but Mr. Clay had objected to the appointment on the allegation that I was not a Republican, and that Mr. Crowninshield and Jonathan Russell had assured the President that it was so: I was not a Republican. So it would seem that Story undertook to answer for my Republicanism. Whether my appointment was for my own good, or for that of my country, is known only to God. As yet, I have far more reason to lament than to rejoice at the event; yet I feel not the less the obligation of Mr. Monroe's confidence in me, and the duty of personal devotion to the success of his Administration which it imposes upon me. That Clay should have taken pains to prevent my appointment is as natural as that he should have coveted it himself. Mr. Crowninshield's opposition to me arose no doubt from party, and Russell's from personal, motives. That Clay should have had the talent of making tools of those men for his purposes is no mean proof of his address. His mind is of a very superior cast to theirs, but in his management of his opposition to me there is a total disregard not only of generosity but of fairness. So painful, however, is the situation in which I am placed, that I wish every hour of my life he had succeeded in keeping me from it. No more of this.

PHILADELPHIA, *October* 12th.—We dined and spent the evening at Mr. W. Jones's, the President of the Bank of the United States. Ingersoll, Dallas, and Connell were there, and some other company with whom I was unacquainted. I was not satisfied with myself this day, having talked too much at dinner. I never take a large share in conversation without saying things which I afterwards wish were unsaid. Yet, in the estimation of others, I pass off on the whole better when I talk freely than when silent and reserved. This sometimes stimulates me to talk more than is wise or proper, and to give to the conversation of mixed companies a tone of discussion which becomes irksome and tedious. Nor can I always (I did not this day) altogether avoid a dogmatical and peremptory tone and manner, always disgusting, and especially offensive

in persons to whose age or situation others consider some deference due.

WASHINGTON, 15th.—I called at the President's, where I met Mr. Calhoun. The President arrived from his seat in Virginia last Sunday. His health is better than it was in the spring, but still somewhat infirm. He told me that Mr. Crowninshield had resigned the office of Secretary of the Navy. It was announced in the National Intelligencer of this morning. The President said that as there was no person who occurred to him from the Western country, he proposed to make his selection from one of the middle Atlantic States, ranging between New York and Maryland, and he named the late Governor Snyder, of Pennsylvania, Mr. Thompson, now Chief-Justice of the Supreme Court of New York, and General Peter B. Porter, as persons of whom he had thought. Their respective merits were discussed, and as Porter is now a Commissioner under two articles of the Treaty of Ghent, and could not without inconvenience be replaced by another person for that service, he was laid out of the question.

I observed to the President that it would be very desirable, if possible, to have one member of the Administration from the Western States. It was a great and rapidly-growing section of the Union, and there appeared to be some uneasiness among them at what they considered as an exclusion from the Cabinet, as it is usually called. The appointment of one member of the Administration from among them I thought would have a happy and conciliatory effect.

He said he was well aware of the weight of these considerations, and asked if I had thought of any person belonging to that part of the Union suitable for the appointment. I said my acquaintance there was very limited, and the more so from the long absence from the United States from which I have recently returned. But I thought there must be many individuals there well qualified to preside over a Department, and to advise as a member of the Administration.

He said he would think further of the subject, and asked how I thought it would be proper to have the duties of the head of the Department supplied in the interval till the new

appointment. It might be either by assigning them to one of the acting heads of the other Departments, or to the President of the Board of Commissioners of the Navy, or to Mr. Homans, the Chief Clerk of the Navy Department. Mr. Madison, at his late visit to him (the President) in Virginia, had intimated an opinion that the office of Secretary of the Navy might be itself abolished, and its duties assigned to the President of the Commissioners of the Navy; but he did not concur in that opinion, and was unwilling to give so much countenance to it as even a temporary appointment of the President of the Board, to do the duties of the Secretary of the Navy, might warrant. On the subject of foreign affairs little was said. There are several important dispatches received from Messrs. Rush, Gallatin, and Erving, which I had not yet seen. The mass of papers at the Department, accumulated since the direction was received from me to forward no more of them to Boston, is so great that I almost despair of getting through the reading of them. I was but a short time at the office, and only read over a few of the papers.

17th. Colonel Swartwout was yesterday commissioned as Navy Agent at New York. He had called upon me the day before to ask for my influence in obtaining the appointment; I told him that, being perfectly disposed to render him any service in my power, I should be happy if he should obtain the appointment, but, as it was of the resort of another Department, my general rule was merely to make known to the President such applications as were made through me, together with the recommendations by which they were supported, leaving him to judge of them himself. I should feel myself peculiarly obliged to observe that course in the present case, having been very earnestly solicited, at my passage through New York, to interest myself in behalf of another person, a Mr. Rutgers. Colonel Swartwout professed to be entirely satisfied with this.

I received last evening a note from the Abbé Correa, the Portuguese Minister, complaining of an attempt to fit out an armed vessel in the Patuxent to cruise against Portuguese subjects and property under commissions from Artigas. I met the Abbé as I was going to the office, and appointed to see him at

two o'clock, when he came. I told him that the only way in which the Executive could interpose was by directing a prosecution of the persons chargeable with a violation of the laws, and that if he would give the names of such persons, and of the witnesses who would establish the proof against them, the Attorney for the District of Maryland would be directed to commence a prosecution.

He asked whether the President was not authorized, by the law of the last session of Congress, to employ the army and navy of the United States to suppress such armaments.

I said he was, but that he could not take the facts for granted. A judicial conviction appeared to be the only proof upon which he could resort to measures of that character.

He said he could have no confidence in any judicial prosecution. What reliance, for instance, could he place in the verdict of a jury selected by the Sheriff of Baltimore, who was himself concerned in the fitting out of these privateers?

I told him the Sheriff of Baltimore would have nothing to do with the selection of the juries, the trial being before the Courts of the United States, and not those of the State.

He said it was very hard that such things must be doing almost under the very eyes of this Government, and that there should be no remedy for Portugal, whose King had always been so friendly towards the United States; that privateering commissions from Artigas were mere absurdities, as he had possession of no sea-port, and that there might just as well issue commissions for privateering from Harper's Ferry or from the Seminole Indians; that he was fully persuaded of the just and honorable intention of the American Government, but that "we had a most unmanageable crew."

I answered him that I trusted he did not intend by that remark to cast a reflection upon the nature of our institutions; but that, at all events, our people were quite as manageable for every good purpose as the people of any other nation, not excepting that of Portugal and Brazil; that we wished to take no part in the war carried on between the Portuguese Government and that of Artigas, but that there could be no analogy between Artigas and the Seminole Indians. He disclaimed any

intention of reflecting upon our institutions, and professed, on the contrary, great respect for them; but he recurred to the kindness which his King had always manifested to the United States.

I mentioned to him the case of the privateer General Armstrong, at Fayal, during our late war with England. He said that ghost was always brought up against him. He had written about it to his Court when I mentioned it to him before, and had received all the papers that had passed between them and the British Government concerning it. Fayal was an open road, incapable of resistance, and great damage was done upon the occasion of this transaction to the houses of the inhabitants on shore. The British Government had offered to indemnify all those inhabitants, but his Court had refused to accept that indemnity without satisfaction being given to the complaint on the part of the United States also. This was all they could do.

I said the result, however, was that no satisfaction had been given to the United States.

The Abbé finally concluded by saying that he wished me to answer his note, so that he might make his report to his own Government. I told him there were some other subjects on which I should be glad to converse with him, and he said he would call at my house to-morrow. Mr. Bagot and the Viscount de Quabeck, the new Chargé d'Affaires from the Netherlands, sent notes requesting interviews, for which I appointed twelve and two o'clock, next Monday. On returning home to dinner, I found Mr. Bailey and the Chevalier Courson de la Villehelio, Captain of the French frigate La Duchesse de Berri, now at New York. I found, quite unexpectedly, that this officer was an old acquaintance. He reminded me of having seen me at the University of Cambridge, and of having, with a party of French officers, dined with me at my father's house in September, 1788. He belonged to a French squadron then in Boston Harbor, commanded by a Mr. de Vintimille. I recollected the circumstance distinctly, but not the person of Mr. Courson. He has mistaken also the year, which was 1788: he thinks it was 1787.

19th. Called at the President's. He spoke again of the appointment of a Secretary of the Navy; said he should offer it to Commodore Rogers, who probably would decline accepting it —he had already declined it, when offered to him by President Madison; and next to him he thought he should offer it to the Chief Justice of New York, Thompson, whom he did not personally know, but whose reputation stood very high, and who was represented as having kept entirely aloof from all the intrigues of the New York parties. I had mentioned to the President the late Governor of the State of Ohio, Worthington, as a suitable candidate from the Western country, and as having once been a seafaring man. The President said he was not personally acquainted with him, but he had been mentioned to him as a man of indirect ways, upon whose steadiness no reliance was to be placed. He preferred men of a straightforward character. I observed to him this day that, as the Vice-President was from New York, Pennsylvania might have the stronger claim to a member of the Administration. He assented to the remark; but, if Rogers does not accept, Thompson will be the man.

The President said that for the temporary appointment, as Mr. Calhoun's office was immediately opposite to that of the Secretary of the Navy, he had requested him to perform the duties in the short interval till the appointment. I had thought of recommending this arrangement myself.

At the office I had interviews with Mr. Bagot and with the Viscount de Quabeck, who came in while Bagot was with me. Mr. Bagot was appointed for, and came at, twelve o'clock. I had directed that two should be the hour appointed for the Viscount. One was by mistake the time fixed, and when he came he was admitted. It was, however, merely a visit of form, and he told me he could not apply to be presented to the President until the arrival of his trunks from Philadelphia, which were coming round by water, and which contained his uniform dress.

Mr. Bagot told me that he came to redeem the pledge of Lord Castlereagh's promise, given last November, to communicate frankly what was doing by the European allies in rela-

tion to Spain and South America; that the only reason why this had not been done before was because nothing had been matured, nothing agreed upon, nothing prepared, even to an extent which was worth communicating. Lately, however, some advance in the business had been made, and he had brought me several papers to read, of which he was not authorized to give or allow copies to be taken, but which were communicated in the most entire confidence. The first was a circular note, from Lord Castlereagh to the five allied powers, dated in August, 1817, and founded upon the previous application from Spain, soliciting the mediation of the allies between her and her Colonies. It proposes that they should undertake the mediation, on condition that Spain should agree to three principles to form the basis of it: 1. A general amnesty to the insurgents. 2. That the South Americans should be admissible to offices and honors equally with the Spaniards. 3. That the Colonies should enjoy a free commerce with other nations, subject to certain suitable preferences in favor of Spain. This is the paper referred to in the Russian answer of November. The original application from Spain for the mediation does not yet appear.

The next paper exhibited by Mr. Bagot was a note from the Duke of San Carlos, the Spanish Ambassador in England, dated in June last, accepting the basis proposed in the British note, but couching the promise of commercial freedom in more indefinite terms, and intimating an expectation that the allies would guarantee the issue of the mediation. The first British note had, in the most explicit manner, disclaimed every intention of resorting to force against the Colonies in any event of the negotiation. The reply from Lord Castlereagh to this note of the Duke of San Carlos (which was also a circular, the Duke of Fernan Nuñez having presented one of precisely the same tenor at Paris, which was there published, and is now circulating in all our newspapers), after guarding against the Spanish insinuation of a guarantee, by repeating the firm determination in no event whatever to employ force against the Colonies, calls upon Spain to speak out in explicit terms and declare what she proposes in reference to the commercial freedom to be allowed to the

Colonies after their return to her Government. With this note is a copy of Lord Castlereagh's dispatch to Sir Henry Wellesley, the British Ambassador at Madrid, directing him to present it. The dispatch is dated in August last, and intimates that towards the close of that month Lord Castlereagh expected to go to the Congress of Sovereigns, at Aix-la-Chapelle, instructing also Sir Henry Wellesley to urge the Spanish Government to have a Plenipotentiary there with a plan fully prepared for the arrangement with the Colonies. This Congress at Aix-la-Chapelle has since been postponed to the last week in September. The Spanish note of June last professes also the disposition of Spain to take such measures on the subject as her allies may advise.

I asked Mr. Bagot if Lord Castlereagh said anything to him of the protests by the Deputies from Buenos Ayres, and from New Granada, against the interference of the allies. He said, no.

I asked him if he would allow me to take these papers to the President for his perusal, with my promise and word of honor that no copies should be taken, and that the papers should be immediately afterwards returned to him. He declined letting the papers go from him, but offered to go with me to the President's and remain there while he should be reading the papers.

This sort of confidential distrust is usual with the British Government, and I once had a sample of it from Count Romanzoff. It is so grossly indelicate that between individuals it could scarcely be viewed otherwise than as an insult: indeed, Romanzoff's caution went no further than to decline giving a copy of what he allowed me to read. The permission to read, with the refusal to allow papers to be taken for perusal out of the presence of the confiding party, is altogether English. I declined accepting Mr. Bagot's offer, but requested him to present my thanks to Lord Castlereagh for this confidential communication.

With regard to the expedient proposed to be attempted by the allies, it was perhaps due to their political connections and engagements with Spain, but I thought it not likely to prove successful, nor could I imagine the British Government expected it would be successful. It was a step prepared in the

descent from power of Spain to break her fall. It might be fair and just to Spain to give her the benefit of the experiment, but after its failure, as I thought it must undoubtedly fail, it would be equally fair and just to Spain to put an end to all her expectations, and to that horrible war she is carrying on, by recognizing the principal independent South American Governments. Mr. Bagot assented entirely to these opinions.

Mr. Crawford had requested a meeting of the Commissioners of the Sinking Fund at two at his office, but it was three before I got there, and Mr. Wirt, the Attorney-General, immediately afterwards came in. It was a question upon a transaction with the Bank of the United States. They had given him notice that they should sell about four hundred thousand dollars of United States stocks, being all that they have left, unless taken within fifteen days, for account of the United States. A section of their Act of Incorporation restricts them from selling stock in the United States without giving this previous notice of fifteen days to the Secretary of the Treasury, that, he may have the option of taking it for public account at certain rates below the present market price. Mr. Crawford said that, from the present state of the Treasury, it would not be convenient to take the stock, but there was another point upon which he had made up his mind, and upon which the Directors of the bank differed from him. They had got the opinion of three lawyers to support them, but he had last year compelled them to purchase near two millions of stock, to replace as much which they had sold, after notice given by him of his intention to redeem it. They had made the purchase at a cost of fifty-four thousand dollars. His position was this: that the stock subscribed to the Bank of the United States being made by the Act of Incorporation redeemable by them at their pleasure, although upon the face of it redeemable as stock only at certain periods, if it should be sold by the bank to individuals it would still be redeemable at the pleasure of the United States, and upon the same terms as if it had remained in the possession of the bank.

Upon this point my opinion differed from that of Mr. Crawford. I considered the provisions in the Act of Incorporation not as changing the nature of the stock, but merely as restric-

tions upon the bank with regard to sales. Mr. Wirt was undecided, but inclined to the opinion of Mr. Crawford. It was proposed that Mr. Wirt should write to take the opinion of Chief-Justice Marshall. I urged Mr. Crawford to waive the question by taking the whole of the stock for the public, but he was afraid of draining so much the treasury. He finally resolved, however, to take the three per cent. stocks, of which there were about the amount of ninety thousand dollars, and which were the only portion of the whole the redeemability of which, upon the terms prescribed to the bank, it was of any import to the public to have retained.

20th. At the President's. He desired me to give notice to the other members of the Administration for a meeting at his housè to-morrow at noon to consider of the case of Captain Hall, and also of the instructions to be given to Messrs. Gallatin and Rush upon the subject of certain proposals relating to impressment, and to measures for promoting the abolition of the slave-trade.

I reported to the President the conversation I had yesterday with Mr. Bagot, and his proposal to accompany me to the President's house that he might have the opportunity to peruse the papers. He approved of my having declined this offer, and directed me to assure Mr. Bagot that he was well satisfied with the communication as made to me, and received it as a friendly mark of confidence from the British Government.

I called at Mr. Calhoun's office to give him the notice of the meeting to-morrow. He asked me to have a warrant, or commission, made out for him to perform the duties of Secretary of the Navy. On looking into the precedents and the laws, I found that although the President is authorized to assign for an interval of six months the duties of the Secretaries of State, the Treasury, and of War to other officers, yet that there is no such provision for the supplying a vacancy in the Navy Department, which was created after the law relating to the other Departments had been enacted. I mentioned this to Mr. Calhoun, that the question might be taken into consideration.

21st. Stopped at Mr. Wirt's office and gave him notice of the meeting at the President's house, which I had forgotten to

do yesterday. He immediately went with me, and we found Mr. Crawford already at the President's. Mr. Calhoun came in a few minutes after us. There were three subjects upon which the President consulted us:

1. Respecting instructions to be given to Messrs. Gallatin and Rush relating to proposals from the British Government on the subject of impressment and the abolition of the slave-trade.

2. On the question whether Commodore Rogers, to whom the President has offered the appointment of Secretary of the Navy, can be with propriety allowed to accept it and at the same time retain his rank and commission in the navy.

3. On the proceedings of two Courts-martial upon the case of Captain Hall.

The first was postponed to a future day, for the want of some dispatches from Mr. Rush, which I am to look up. With regard to the second, the unanimous opinion was that Commodore Rogers ought not to hold the two offices of Secretary of the Navy and of Captain in the service together, the accumulation of permanent offices in the same person being contrary to the spirit of the Constitution and to the disposition of the people. The case of Captain Hall involves several important principles, and was thoroughly discussed. He was tried last January, by a Court-martial at Baltimore, upon a charge by Major Satterlee Clark of having cheated him at cards—playing loo all night long and till after daylight in the morning. It was in evidence before the Court-martial that both the parties were drunk—Clark slightly, and Hall so that he did not know what he was doing. The evidence as to the intention of cheating was therefore totally deficient; yet the Court-martial found Hall guilty, and sentenced him to be cashiered. He offered evidence to his general character for sobriety and aversion to gaming, which the Court rejected. He offered evidence that there had been a quarrel between Clark and him the same night, to discredit his testimony. The Court rejected it. Under these circumstances, the President disapproved the sentence of the Court, and directed a new trial by another Court-martial, which met at Plattsburg in June last. The eighty-seventh article of war provides that no officer shall be tried a second time for

the same offence. Storrow, the Judge-Advocate before the second Court-martial, made a speech to convince them that they could not try or arraign Hall, because he had been tried once before. They decided accordingly, though Hall was ready and desirous to be tried, and even attempted to object against the Judge-Advocate on account of his opposition to the trial. They refused to arraign Hall, and adjourned the Court without day. The President thereupon took the written opinion of the Attorney-General, which is, that notwithstanding the eighty-seventh article of war, an officer may be tried a second time for his own *benefit* after a conviction, though not after an acquittal. The question was, what should be done; whether to send back the case to the same second Court-martial, with the written opinion of the Attorney-General, and a peremptory *order* to them to try Hall, or to send it to a third Court-martial, or to refer the subject at once to Congress for an explanatory law. I found the opinion of all the Administration fully made up, and had, unfortunately, only doubts to suggest, in which no other member of the Administration participated. My doubts were: 1. Whether the decision of the second Court-martial was not well founded, and that they could, in fact, not legally try Hall. 2. Whether the order to try him was an ordinary military order, which they were bound to obey without enquiring into its legality. 3. Whether they were bound by an order from the Executive relating to the nature of the evidence, which they must admit or reject. 4. Whether the President can lawfully constitute one Court-martial as a Court of appeal from the decision of another. Mr. Calhoun was so clear upon all these points that he thought there was no reason for any doubt. The President and Attorney-General had made up their minds with equal decision. Mr. Crawford, though occasionally a little staggered, could not raise doubts sufficient to support mine, so that I had really not stubbornness enough to persevere in them. I acquiesced in the alternative of sending back the case to the second Court-martial with the opinion of the Attorney-General, which I told him I thought controvertible. I suggested the question, however, whether it would be expedient to have the same Judge-Advocate upon the reference back, and whether another

could be appointed. Before the decision upon this point was taken, dinner was announced, the President having last evening sent us invitations to remain and dine with him.

23d. The President took a ride on horseback to his house at Highland, near Aldie, Loudoun County, Virginia. At the office I wrote a letter to J. R. Poinsett, which had been some time since directed by the President, and answered the Abbé Correa's complaint against the fitting out of a vessel in the Patuxent to cruise against Portuguese subjects and property, and a note received from the Spanish Minister, Onis, informing me that he is ready to exchange the ratifications of the Convention of 1802, but proposing, as he has received new instructions to make proposals for a further and definitive arrangement of all the differences between the two countries, to postpone the exchange of ratifications until we can make the attempt to agree upon the more comprehensive adjustment of the subjects in discussion. Mr. John Graham made the translation of this note, and sent it to me this day, upon which I answered it, agreeing to postpone the exchange of the ratifications of the Convention, and inviting an immediate communication of Mr. Onis's new proposals.

24th. I met Mr. Calhoun, who asked me to enquire of Mr. Bagot whether he had any authority to agree to a temporary line between the British territories and ours to the northwest, and said he was establishing a line of posts in that direction to cover our frontier and prevent the British traders from crossing the line to trade with the Indians within our boundaries. I called afterwards at Calhoun's office, where he showed me upon the map the positions where the new posts are to be established. I was engaged all the remainder of the morning in reading over the dispatches from R. Rush, received since I left the city in August. They lay open a field for much labor and most assiduous industry to me. May I not be found wanting to my duties or to my country!

25th. When I returned home from church, I found that Mr. Onis had left two notes at my house, one containing complaints respecting the government of Amelia Island, and the other with propositions for the negotiation of a treaty. This second

is a note of eighteen pages, containing a history of the Spanish settlements in Mexico over again.

26th. Calling at the President's, I found Mr. Calhoun there. The President returned last evening from his ride to Highland. I read to him the propositions contained in the note of Mr. Onis, with which he was much dissatisfied, considering them not only as altogether inadmissible, but as merely another experiment upon the patience and long-suffering of this Government. He said it was time to bring Onis to a point, and, if he would not agree to reasonable terms, to break off the negotiation. I afterwards gave the propositions to Mr. John Graham for a translation.

The President told me that Commodore Rogers had declined the appointment of Secretary of the Navy, preferring his present station as President of the Navy Board, with which he retains his rank as a Captain in the navy. The President said he should now determine to offer the place either to Mr. Snyder or to the Chief Justice of New York, Thompson. As he appeared to incline strongly in favor of the latter, I presented to him all the considerations which operate in favor of the other. He said he would determine in the course of the day.

27th. At the President's. He was desirous of having the reply to Mr. Onis's propositions prepared and presented for consideration at a Cabinet meeting this day, but that was impossible. Mr. John Graham brought me the translation, and told me that Pleasanton had informed him Mr. Rodney had been prevented from coming to Washington by a fit of the fever and ague, but that he would be here this day or to-morrow. I called at Mr. Calhoun's office, as he is now acting as Secretary of the Navy, to enquire if there was a frigate or sloop-of-war which can be sent to the Havanna to demand the liberation of a number of Americans now in confinement there, among whom is a Mr. William Davis Robinson. He has made many applications for the interference of this Government to obtain his release, and since my return here, Mr. Fairfax and young Mitchell have been to me, time after time, with the same request. It was concluded to send the John Adams, now at

New York, and which Homans says will be ready by the first week in December.

28th. Finished the draft of a note in answer to Onis's propositions. Took it to the President, who directed a meeting of the members of the Administration at his house at one o'clock. It was past one o'clock when I was going to the President's, but was detained half an hour by Mr. Bagot, who came, in much agitation, with a letter which he had just received from Mr. Barclay, the British Commissioner, under the fifth article of the Treaty of Ghent. It appears that in running their forty-fifth parallel of latitude they find, by the observations of the astronomers on both sides, that the existing line touching upon Lake Champlain is about three-quarters of a mile too far north, and that the new line will bring two forts lately built by us within the British territory. Hassler, the American astronomer, is so much alarmed at this result that he is afraid there will be a riot among the people there to overthrow the forts and break all their instruments, and to prevent them from proceeding upon their business. He communicated his terror to Dr. Tyack, the British astronomer (they are both Germans), and he to Mr. Barclay, the British Commissioner, who wrote off immediately to Mr. Bagot, requesting him to apply for a reinforcement of troops for their protection.

I told Bagot I thought it was nothing but a maggot in the brain of Hassler, and that there was no danger whatever. But I promised to mention it to the President, and inform him of the result. I found Crawford and Calhoun with the President, and told them of Mr. Bagot's communication. Notice of the fact that the astronomical observations are likely to deprive us of our two new forts had been received yesterday from Colonel Totten by a letter from Hassler, but the President and Calhoun laughed at the idea of the apprehended rebellion against the astronomers in Vermont.

We passed to the consideration of the reply to Onis's propositions. The President himself inclined to make it merely a verbal communication, and to give no written answer unless Onis would declare that he was authorized to conclude a treaty upon our ultimatum. It was, however, finally agreed that it

should be in writing. I read Onis's propositions, and my draft of an answer to them. Several alterations were proposed—one to the boundary line that I had drawn up. Crawford wanted, instead of the Red River, the chain of mountains to the south of it. A blank was to be filled for the time, after which the grants of land are to be held null and void: 1802, 1808, and 1811 were successively mentioned and discussed without coming to any decision. But the great difficulty was with regard to the renunciations of claims for indemnities. It was concluded that some exceptions must be reserved, and I was directed to prepare an additional paragraph to that effect. Meeting adjourned about four.

29th. At the President's. I had prepared an additional paragraph for my letter to Mr. Onis, but it did not yet altogether suit the President's views. He told me that he now thought it of much less consequence than it was a year ago whether we made any adjustment with Spain at all, and that he thought Onis's instructions now were such that he would either sign no treaty at all, or he would sign one upon our own terms. I left my draft with him.

He has begun that of his message, and read me two paragraphs—one respecting the commercial negotiation now on foot with England, the other concerning our relations with Spain. The latter was unfinished. He directed a Cabinet meeting at one o'clock, upon the instructions to be given to Messrs. Gallatin and Rush concerning impressment and the slave-trade. At one we met accordingly, and discussed the question upon impressment till four, without coming to any decision. Another meeting was appointed for twelve o'clock to-morrow. Rush, according to his instructions, made two successive proposals to the British Government upon impressment—one the 18th of April and the other the 20th June last. The first was to restrict reciprocally the naturalization of sailors, the other was totally to exclude each other's seamen from the respective services, whether in public or in merchant vessels, with a positive stipulation against the impressment of men in any case. The British Government, in the first instance, rejected both, but afterwards, on the 13th of August, Castlereagh intimated to

Rush, as a suggestion of his own, upon which he had not consulted the other members of the Cabinet, that the second proposition might be accepted with two modifications—one, that either party may withdraw from the engagement of the stipulation after three or six months' notice, as in the agreement concerning armaments on the lakes; the other, that if a British officer, after entering an American vessel for purposes admitted to be lawful, should find a seaman there whom he should suspect to be English, he should be authorized to make a record or procès-verbal of the fact, that it may be brought to the knowledge of the American Government, though not to take the man. The deliberation of this day was, whether Messrs. Gallatin and Rush should be instructed to agree to these modifications or not. Strong objections were urged against them both, particularly by Mr. Calhoun. Mr. Crawford inclined to accede to them both, and the President inclined to the same. Mr. Wirt, without expressing himself very decidedly, thought like the President.

My own greatest objections were against the proposal as made by ourselves, to which I have always been utterly averse, thinking it an illiberal engagement, contrary to the free, generous, and humane character of our institutions, unjustly restrictive upon the rights both of our own and of British seamen, and having a tendency to excite the most violent animosities in their minds against one another, and especially among the British seamen against us. I thought it would be now peculiarly offensive and injurious to our commercial interests, doubted whether any such stipulation would be ratified by the Senate, was confident it would give universal dissatisfaction to the merchants, and, in the event of war, would be found impracticable in execution. As, however, we have made the proposal, we must abide by it, if accepted; but its own character may justly make us scrupulous against accepting any modifications which render it still more exceptionable.

Mr. Calhoun opposed the first of Lord Castlereagh's suggested modifications, as leaving it in the power of the British Government to make the stipulation itself nugatory to us at the very moment when it would begin to operate in our favor,

and because, by consenting that the compact should thus be cancelled at pleasure, we should be understood to have given an indirect assent to the resumption of the British practice.

I concurred in this opinion, which was strenuously contested by Mr. Crawford and Mr. Wirt, the President leaning a little the same way. Mr. Crawford contended that the only object of these modifications, on the part of the British Ministers, was to make the stipulation itself palatable to their own people; that no British Ministers would dare to contract such an engagement without reserving to themselves some such apology to conciliate the public opinion of their own country; but that if the agreement should once be made, they would never use the privilege of giving notice that it should be cancelled. The practice being once abandoned, they would never incur the risk of resuming it.

Mr. Calhoun was also against acceding to the second proposed modification, which would allow a British officer to muster and pass under inspection the crew of every American vessel boarded by him. It would give rise to altercations, and expose the American master to the insolence of the British officer, scarcely less galling than the injury of impressment itself. Calhoun added that the result of the late war had been to raise the tone of feeling in this nation; that the success of the menacing attitude assumed with Spain, in the case of R. W. Meade, had raised it still higher; that any concession by the Administration which should tend to lower that tone of feeling would give great dissatisfaction to the nation, and would be used as a weapon against the Administration.

Crawford said he had mentioned the proposed modifications to Mr. Clay last Saturday, and he thought well of them.

"Ay," said Calhoun, "but what will the Kentucky and Western country newspapers say of them?" This question occasioned a general laugh, in which Crawford heartily joined. We all knew that Clay would think well of anything which might excite dissatisfaction with the Administration. It was past four o'clock when the meeting was adjourned till to-morrow. Calhoun took me home in his carriage, and I walked half an hour before dinner.

30th. The adjourned Cabinet meeting was held at the Presi-

dent's from noon till four, and resumed after dinner till nine in the evening. We all dined there except Mr. Wirt, who at dinner-time went home and did not return in the evening. The question upon Lord Castlereagh's proposed modifications to our proposal for abolishing impressment from our vessels on the high seas was again resumed, and argued with much earnestness—Crawford and Wirt adhering to their opinions, Calhoun and I to ours. The President ultimately found a middle term, upon which he concluded, after expressing his regret that he was obliged to decide between us, equally divided in opinion as we were. He determined to reject the second modification: first, because it implied that the boarding officer should have the power of mustering the crew of an American vessel and passing them individually under his inspection; and, secondly, because it implied a suspicion that we should not faithfully and sincerely carry our own laws into execution. He would do nothing to countenance such a distrust. He also should decline acceding to the proposal that the whole agreement might be cancelled at the option of either party, giving three or six months' notice, but would offer to limit the duration of the article to a shorter period than the remainder of the Convention. For he was convinced that if the British Government once brought themselves to contract the engagement not to take men from our ships, though it should be only for a year, they would never resort to the practice again. They had never before yielded so far as in this proposal. They had until now been inflexible in adherence to the principle of their pretended right to take men from our ships, and it would be the whole point gained on our part if we should once obtain (though for ever so short a time) an abandonment by them of the principle. It would come, too, so soon after the conclusion of the late war, that in the opinion of our people it would be considered as having resulted from it. There was a deep anxiety in their minds, from an apprehension that it would again give rise to war. The British Ministry could not, in fact, abandon their pretended right without some reservation to conciliate the pride, the interest, and the feelings of their nation to the sacrifice.

I then suggested the expediency of proposing that it should be concluded as a separate article, to be acted upon by our Senate distinctly from the remainder of the Convention, which I thought would itself meet with much difficulty in passing through the Senate, unless there should be additional articles admitting us to the West India trade. I had found, upon conversation with Mr. King, when I passed through New York, that he was averse to the renewal of the Convention in its present form, and his influence in the Senate was so considerable, and his knowledge upon commercial subjects so extensive, that I thought his opposition alone would operate strongly against the ratification. The stipulation to exclude all British seamen from our ships, which would have an immediate and certain injurious effect upon our commerce, for the distant, possible, but very uncertain boon of exemption from impressment in the next maritime war in which Great Britain shall be engaged and we neutral, will be so far from satisfying our people, that the general impression will be that we have been overreached in negotiation, and probably the ratification in the Senate will fail.

The President readily agreed that the stipulation, if agreed to, should be by a separate article, and directed that the limitation of its duration, to be proposed, should be four years. And, to avoid the immediate shock to our commerce by the exclusion of British seamen from our service, that it should commence from the first of October, 1820.

The next subject taken up was the proposal from Lord Castlereagh that we should join in the measures recently concerted, by treaties concluded with Spain, Portugal, and the Netherlands, for abolishing the slave-trade. The general character of these treaties is, that the commanders of armed vessels of each of these nations should be authorized to enter and search the merchant vessels of the other for slaves, and, when they find any, to carry the vessel into the nearest settlement of either of the two nations, where they shall be tried by a mixed court, consisting of a judge from each of the two nations and two arbitrators, also one from each nation, one of whom to be drawn by lot in each case upon which the two judges should be of

different opinions; these mixed courts to be authorized to condemn all slave-trading vessels of either of the two nations, according to the penalties of their respective laws. In the treaty with the Netherlands there are some limitations as to the seas where this right of search in time of peace is to be exercised; but there is one article formally admitting that vessels under convoy may be searched as well as others. Lord Castlereagh, by a note to Mr. Rush, communicates copies of these treaties, inviting the United States to join in similar stipulations, and expressing the conviction that the abolition of the slave-trade cannot be effectually accomplished but by granting this power to the officers of one nation to enter and search the merchant vessels of another.

The opinion was unanimous that this proposal ought not to be acceded to. 1. Mr. Wirt thought there was no constitutional authority in the Government of the United States to establish a Court, partly consisting of foreigners, to sit without the bounds of the United States, and not amenable to impeachment for corruption, and he cited the Constitution, Article 3, Section 1. I thought there was sufficient authority by the Constitution, and likened it to the joint commissions which we have had by treaties with Great Britain and Spain, and to the Courts of Admiralty which it has been proposed to establish at Naples if we could have obtained the consent of that Government.

Mr. Wirt pointed out distinctions between the two cases—between Courts constituted under the laws of nations and Courts to carry into effect our municipal and penal statutes. But, as the power of making treaties is without limitation in the Constitution, and treaties are declared to be the supreme law of the land, I still hold to the opinion that there is no constitutional difficulty in the way.

2. Another objection was, that we could not establish these Courts with reciprocity, as we have no possessions on the coast of Africa.

3. That we have suffered so much from the practice of foreign officers to search our vessels in time of war, particularly by its connection with a British doctrine that after an officer has entered for one purpose he may proceed to search for another,

that we ought to be specially cautious not to admit of the right of search in time of peace.

4. That it is still more obnoxious as coupled with the provision that even vessels under convoy shall be subjected to it.

But, in declining the proposition, the President directed that an offer should be made to stipulate in general terms; that further laws should be made, if it should be found necessary, for carrying into execution those already enacted for the prohibition, of the traffic by our citizens, and that a copy of the Act of Congress of the last session to that effect should be communicated to the British Government.

Upon these general ideas I was directed to draw up a letter of instructions, and it was suggested that we should also promise that instructions shall be given to the commanders of all our armed vessels to take and bring in for trial any slave trading vessel under our flag which they shall meet with upon the high seas. But, upon question made, it did not appear that the President is now authorized to give such orders, though he was by the Act of 1807.

Finally, we recurred to the reply to be given to Mr. Onis's last proposals for a treaty. What claims of the citizens of the United States should we undertake to assume? How should they be limited? Should the lands in the territories to be ceded be pledged as the fund from which the payment of the claims shall be made, or shall they be generally assumed to a specified amount? To ascertain the validity of the claims and their amounts, should a Commission be instituted, joint American and Spanish, or American alone, the United States giving a discharge in full to Spain for all the claims? These questions were all amply discussed, and I was directed to make a further addition to my draft of a note to Mr. Onis. It was resolved to give a discharge for all claims which have been from the date of the treaty presented at the Department of State or to the American Minister in Spain; that the United States will pay them to the amount of five millions of dollars, and that a Commission shall be appointed of three persons, all Americans, to pass upon the claims. About nine in the evening the meeting finished.

31st. Mr. Daniel Brent was here this morning, and a man

who calls himself Estifano, captain of a privateer, under a commission of Buenos Ayres, called the General San Martin, but by his speech he is evidently an American of our own country. His crew ran away with his vessel from a West India island and took her into Savannah, where she was seized and libelled in the Admiralty Court at his own request. He now wants her released, and had written me two letters to that effect. He came this morning, first to my house, and afterwards to the office. I found, upon enquiry, that the order for the seizure of the vessel had been sent from the Treasury, and to that Department referred Mr. Estifano.

At the President's, and read to him the additional paragraphs that I had prepared in the draft of my letter to Onis, according to the determinations of last evening. I had mistaken one of the points, and, after calling upon Mr. Calhoun, whose recollection agreed with that of the President, I struck it out. I gave the draft then to Mr. Brent, to be copied off this evening, if possible, and sent to Mr. Onis.

The President read me a paper he is preparing to send to Captain Hall's second Court-martial, together with the opinion of the Attorney-General. He assigns various reasons for disapproving their decision, and the first is, that the order to try Hall was a military order, which the Court were bound to obey, and they were not competent to disclaim their own jurisdiction. Another, that the trial by the first Court-martial, having been disapproved by the President, was no trial at all, and therefore that the reference to the second Court-martial was not trying him a second time for the same offence.

I remarked to the President that Storrow in his speech to the second Court-martial, and that Court itself, had assumed the direct contrary to this first reason as a principle; namely, that the judicial character of a Court-martial necessarily absolves its members, quoad hoc, from the military principle of unqualified obedience. The abstract argument, and the argument of analogy from the powers of other judicial Courts, seemed to be with them. If there was express authority on the other side, it would be decisive. I was not sufficiently versed in the writers upon Courts-martial to know how it was.

He said he thought it was a rule settled by express authority, as well as by general practice, but he did not recollect any particular case in which it was settled.

I said, as to the other reason, the difficulty appeared to me to be, that if a sentence of conviction when disapproved by the President was no trial at all, I could not see how a sentence of acquittal, if disapproved, should be a trial. The argument of nullity applies as much to an acquittal disapproved as to a conviction disapproved; and if to an acquittal, then the eighty-seventh article of war is so far nugatory that an officer might be acquitted ten times over, by as many successive Courts-martial, and yet be said never to have had any trial at all.

The President said that in practice a sentence of acquittal is never disapproved, and if the President should abuse his power for the oppression of any individual, he would be impeachable for it.

I said that perhaps it would be more prudent to avoid the collision with the pride and temper of officers, whose opinions were already committed, to send the case to a third Court-martial, different from either of the others, and if they should ultimately take the same ground as the last, it might be referred to Congress for an amendment or explanation of the law.

He said he would consider whether he should not do that at once; or, if not, whether he should not institute a special board of officers to report upon the questions. I told him there could be no possible doubt of the purity, humanity, and equity of the motives which had dictated the course pursued in this individual case. But the principles involved in it were important and serious. I disapproved the tone and spirit of Storrow's speech, but I separated them from the argument in it, and I thought it desirable to pursue a course which should avoid such a collision with the officers of the Court as would drive them to resign or make it necessary to break them. He said he wished much to avoid that collision, as he had a good opinion of the officers, particularly of Eustis and Atkinson, with whom he was personally acquainted. But something must be done for Hall, who, though a high-tempered and violent

man, had behaved very well during the war, had been strongly recommended by General Gaines, and was thought to have been persecuted by the partisans of General Brown, in the army, because he had been an Aid-de-Camp of Ripley's.

*November* 1st. *Sunday.* I was compelled reluctantly to devote this day to the duties of my office, to prepare the draft of a dispatch with instructions to A. Gallatin and R. Rush, conformably to the decisions of the late Cabinet meetings. It occupied the day, with the exception of an hour and a half before dinner, in which I took a long, solitary walk, and another hour in which I was engaged in reading the letters that came by the mail. None from Boston or Quincy! Not even that promised by Harriet Welsh! As the scene closes, she is too constantly occupied to find a moment for writing, and how can she take the pen to dissolve that last hope which she had led us still to cherish? My mother was an angel upon earth. She was a minister of blessing to all human beings within her sphere of action. Her heart was the abode of heavenly purity. She had no feelings but of kindness and beneficence; yet her mind was as firm as her temper was mild and gentle. She had known sorrow, but her sorrow was silent. She was acquainted with grief, but it was deposited in her own bosom. She was the real personification of female virtue, of piety, of charity, of ever active and never intermitting benevolence. Oh, God! could she have been spared yet a little longer! My lot in life has been almost always cast at a distance from her. I have enjoyed but for short seasons, and at long, distant intervals, the happiness of her society, yet she has been to me more than a mother. She has been a spirit from above watching over me for good, and contributing by my mere consciousness of her existence to the comfort of my life. That consciousness is gone, and without her the world feels to me like a solitude. Oh! what must it be to my father, and how will he support life without her who has been to him its charm? Not my will, heavenly Father, but thine, be done.

2d. I called at the President's, and read to him the draft of instructions to Messrs. Gallatin and Rush, which he approved. I found him in some displeasure at having learnt that the late

Commissioners to South America, Rodney and Bland and Graham, are so far from agreeing in the report they are to make, that probably no two of them will agree upon the same. Bland arrived two days ago at Philadelphia from Valparaiso. He had parted from the two others at Buenos Ayres, not agreeing then in opinion with them. Rodney and Graham, it seems, then thought they agreed together, and until Rodney came here, two days since, with his draft of a report prepared. Graham then discovered some things in it which he did not approve. Rodney insisted upon inserting them, and Graham declined signing. So they will make their reports separately. Rodney, the President hinted, is under the influence of Brackenridge, the Secretary to the Commission, who is a mere enthusiast, and so devoted to South America that he has avowed the wish to unite all America in conflict against all Europe. Rodney, therefore, traces the South American to the North American revolution, and identifies them together in a manner which the President thinks will be offensive to the European allies; and he hinted that Rodney's report would be purposely adapted to the views rather of Clay and the opposition than to those of the Administration. He said if that was not the case Rodney would have submitted his report privately, with an offer to modify anything that might counteract the views and policy of the Administration; that his pursuing a different course indicates that he feels no such delicacy, and that he will make a report painting everything at Buenos Ayres as he saw it, couleur de rose, and that it will be used as a weapon of party.

The President read me then some incipient paragraphs, in the draft of his message, concerning South America—rather an historical review of their revolutionary struggle, and its progress towards independence, with an opinion that it will ultimately prevail, than a recommendation to recognize it immediately. He asked me to collect for him some minutes relating to the principal stages of the revolution, and suggested to me the idea of seeing Mr. Bagot and enquiring of him to what extent the confidential communications from the British Government, of the measures concerted by the allies for a

mediation between Spain and her Colonies, may be alluded to in the messages without a breach of confidence.

I observed to him that he might at least allude to everything inferable from the Spanish note of 12th of June last, which is public in the newspapers. He asked me to send him a paper containing a copy of it, which I did.

The mail had brought me too fatal a confirmation of my apprehensions in a letter from my son John, dated at Boston last Wednesday, the 28th of October, informing me that between eleven and one o'clock of that day my mother, beloved and lamented more than language can express, yielded up her pure and gentle spirit to its Creator. She was born on the 11 of November, 1744, and had completed within less than a month of her seventy-fourth year. Had she lived to the age of the Patriarchs, every day of her life would have been filled with clouds of goodness and of love. There is not a virtue that can abide in the female heart but it was the ornament of hers. She had been fifty-four years the delight of my father's heart, the sweetener of all his toils, the comforter of all his sorrows, the sharer and heightener of all his joys. It was but the last time when I saw my father that he told me, with an ejaculation of gratitude to the Giver of every good and every perfect gift, that in all the vicissitudes of his fortunes, through all the good report and evil report of the world, in all his struggles and in all his sorrows, the affectionate participation and cheering encouragement of his wife had been his never-failing support, without which he was sure he should never have lived through them. She was the daughter of William Smith, minister at Weymouth, and of Elizabeth Quincy, his wife. Oh, God! may I die the death of the righteous, and may my last end be like hers! On receiving this deeply distressing intelligence, I immediately left my office and came home. After indulging the weakness of nature, I wrote letters to my father and to my son John.

3d. I omitted this day my usual attendance at the office. Dr. Freeman, of Boston, called, but I could not see him; took a solitary walk of near two hours before dinner, and spent the remainder of the day and the evening at home. I expected,

with some anxiety, by the mail, letters from Quincy, but was disappointed. None came. Alas! what could they have told me? If there is existence and retribution beyond the grave, my mother is happy. But if virtue alone is happiness below, never was existence upon earth more blessed than hers. She was married on the 25th of October, 1764, at the age of twenty, and had five children—three sons and two daughters. Two only of the sons have survived her. Never have I known another human being the perpetual object of whose life was so unremittingly to do good. It was a necessity of her nature. Yet so unostentatious, so unconscious even, of her own excellence, that even the objects of her kindness often knew not whence it came. She had seen the world—its glories, without being dazzled; its vices and follies, without being infected by them. She had suffered often and severely from fits of long and painful sickness, always with calmness and resignation. She had a profound, but not an obtrusive, sensibility. She was always cheerful, never frivolous; she had neither gall nor guile. Her attention to the domestic economy of her family was unrivalled—rising with the dawn, and superintending the household concerns with indefatigable and all-foreseeing care. She had a warm and lively relish for literature, for social conversation, for whatever was interesting in the occurrences of the time, and even in political affairs. She had been, during the war of our Revolution, an ardent patriot, and the earliest lesson of unbounded devotion to the cause of their country that her children received was from her. She had the most delicate sense of propriety of conduct, but nothing uncharitable, nothing bitter. Her price was indeed above rubies. But, oh, my father! my aged and ever-venerated father! what solace is now left that can attach him to life? Merciful God, be thou his stay and his staff, and in thy sovereign goodness provide for him consolations such as this world cannot give. It is for him, and to hear from him, that my anxiety now bears upon my mind.

I received this day a large budget of dispatches from an agent in South America named Worthington, who has been swelling upon his agency until he has broken out into a self-

accredited Plenipotentiary, and the long-expected report from C. R. Rodney, one of the late Commissioners to South America. Graham has declined signing it, and is to make some additional remarks of his own. Rodney's report is that of an enthusiastic partisan of the South American cause, but communicating scarcely any information additional to that which was already known. It consists of a very superficial historical review of the South American Revolution, and an apologetic eulogium upon the present Government of Buenos Ayres. Graham admires them much less, and Bland holds them in abhorrence and contempt.

4th. Resumed this morning the work of preparation for a report upon weights and measures. The pressure of current business upon me is so unintermitting, that since the close of the last session of Congress I have scarcely been able to write a line upon this subject, and here is another session to commence in ten days, when everything will be still more hurried. Mr. D. Brent called upon me this morning, and mentioned the turn which circumstances are taking in relation to the late Commissioners to South America. No two of them agree in their views, and each of them will make a separate report. Bland had a very sharp misunderstanding with Rodney and with Brackenridge, the Secretary to the Commission, before he left them. Rodney now says that Bland left them against his consent to go to Chili. Graham says that though Rodney had at first thought that measure unnecessary, yet it had been ultimately agreed to unanimously. Purviance, lately returned from Baltimore, says it is currently reported there that Bland was concerned in the South American privateering with Skinner, the Postmaster at Baltimore, and that he went to Chili on that business, upon the pretence of his public trust. Rodney and Brackenridge countenance these reports, but Graham has entire confidence in Bland's integrity. Bland has just returned from Valparaiso, and was this day at the office. He says that he shall be prepared in the course of ten days with his report. His opinions of the Government of Buenos Ayres continue to be unfavorable, and he gave me some account of the misunderstanding between Mr. Prevost and Captain Biddle, of the

Ontario, which occasioned Prevost to leave the ship, and which is barely hinted at in Prevost's letters. All these things tend to confirm what the experience of this country has almost invariably proved—the extreme difficulty of maintaining harmony in joint commissions.

Mr. Hyde de Neuville requested an interview, and came to the office. He spoke of several affairs of little consequence: a complaint from a French master of a vessel at New York, not only that he could not recover a deserting sailor, but was sued by him and compelled to deliver his clothes. There was a bill before Congress last session to remedy this evil, and I showed him that it was among the earliest orders of the day to be taken up at the next. I advised him to write to me on the subject, which he said he would. Also upon applications he has heretofore made to obtain a reduction of the duties upon French wines. On this point he is exceedingly solicitous, and seems to think that the only obstacle to his obtaining the object is the opinion of Mr. Lowndes against it. He was at the last session of Congress Chairman of Ways and Means, and objected to De Neuville that there was a heavy duty upon American cottons in France. I myself had mentioned to him the restrictive and excluding system which they are resuming in their Colonies against us. He says he has written upon that subject to France, and has received answers expressing a favorable disposition and asking him to present further views concerning it, to see if anything can be done reconcilable to their necessary attention to their own interest.

Then he spoke of a claim for one hundred thousand francs upon bills drawn by General Armstrong, while Minister in France, under the Louisiana Convention, and afterwards protested by Armstrong's own request. He said he had been in communication with the Secretary of the Treasury on this affair, and would see further if he could not get it through with him before he would trouble me with it. He also reminded me of a long note from him yet unanswered, concerning the claims of France to special favors in the ports of Louisiana. I told him I kept that for a "bonne bouche."

At last he came to the real object of his visit, and said, "Eh

bien! aurons-nous la paix?" meaning between the United States and Spain. I told him he must ask Mr. Onis. It was in his hands. He had several days been in possession of my note, and there appeared to be but one point upon which it was possible he should have any difficulty. That was the western boundary. I had given him on this point our ultimatum. We had retreated to the wall, and Onis had in fact only to say yes or no to settle the final question whether our differences with Spain are to be adjusted or not. He asked whether we had been more yielding than heretofore. I showed him, upon Melish's map, the line offered in my note, upon which he only remarked that we might have taken the Columbia River from its source to its mouth, instead of the forty-first parallel of latitude, from the Snow Mountains to the South Sea. He spoke of the earnestness with which he had endeavored to promote this adjustment with Spain; of his efforts to produce the conviction that Spain must make some conciliatory concession; of his having hazarded even his own party standing by his zeal in favor of the pretensions of the United States; and, finally, of his regret that this negotiation must fail. For he did not admit that Onis had shown him my note, though it was evident he had, even the part in which it is offered to agree that the United States will give a certificate that they have received no compensation from France for the French spoliations within Spanish jurisdiction. For it escaped him to say that as to Spain having any claims upon France on that account, it was ridiculous; France certainly would not pay for the same thing twice.

I told him plainly that the President was more indifferent now than he had been a year ago to the issue of this negotiation; that we knew we should obtain more by delay than we now offered to accept, and that we might quietly wait for the operation of time.

He then asked what would be done about South American affairs. I told him they might be arranged as the allied sovereigns should agree, if they could agree upon, and could prevail upon the South Americans to agree to, their plan. He said France was very desirous of acting in concert with the United States. I told him France had been more reserved with

us on this affair than England. She had communicated to us—nothing. He asked what there had been to communicate. I said, at least her answer to the British circular plan for the mediation between Spain and her Colonies, dated August, 1817.

He said the Duke de Richelieu's last dispatch to him promised him a full communication upon the subject shortly, but he was confident the allied powers would not agree upon their plan, and that Spain would ultimately lose her Colonies. I am obliged very much to compress the substance of this conversation, for want of time to record it.

At the President's I met Mr. Calhoun. The President read to us the draft of his message so far as he has prepared it, which occasioned some remarks. Calhoun questioned whether the affair of Amelia Island was not made too prominent. He said that had been much discussed, but the public were now well satisfied with what had been done there. But, I observed, the President had now taken a new view of it, as connected with the Seminole War. Calhoun questioned the evidence of this fact, and appeared quite surprised when I mentioned that Ambrister had a commission from McGregor. He was so confident there was nothing to prove this in the official documents that I doubted where I had seen it. In the evening, at home, I found it in the proceedings of the Court-martial upon Ambrister's trial.

The President and Mr. Calhoun both had letters from New York highly commendatory of Smith Thompson, the Chief Justice of that State, for the office of Secretary of the Navy. The President said he had written and offered him the place several days ago, and expected his answer to-morrow.

I left with the President Mr. Rodney's report and vouchers. After I came home, two young men, named Nicklye and Lowell, came to my house, and kept me more than an hour with a complaint that a cargo belonging to them, going in a Spanish vessel from one port to another on the Spanish Main, had been taken by the Brutus, Captain Joby, one of Aury's privateers, and irregularly condemned by General Arismendi, in the island of Margarita. They brought a protest and documents to vouch the facts. I asked them to address me a letter officially and

enclose their vouchers—promised to lay them before the President, and told them they would be sent to the agent in Venezuela, with instructions to remonstrate against the proceedings and demand indemnity for the loss. But these young men were not satisfied with this. They told me their story over and over again, complained how hard their case was—it was all their little property, and without insurance. They had called upon me at my house, and not in office hours, for my private advice. They could tell me many things against Arismendi and the pretended patriots of Venezuela. There was a privateer of Brion's at Norfolk: could not the Government seize that to indemnify them? To all this I answered with civility and temper, but when my opinions did not suit them, one of them was for arguing every point with me, till my patience failed. I told them there was no doubt but that they had been greatly wronged, and the Government would do everything in its power to obtain redress for them. If they were not satisfied with the opinions I had given them, they could apply to legal counsel, and act according to their advice. If I had not spoken to them in this way, they would have kept me till to-morrow morning. It was between six and seven when they left me.

The Abbé Correa also called, upon his return from Philadelphia. He told me he had a Secretary of Legation at last arrived, and should write to me officially to ask to present him to the President. There are also other objects upon which he proposes to make occasional and official communications. He has not received the packet from Palmella which I received from England and forwarded to him last Saturday to Philadelphia. Speaking of the meeting of the sovereigns at Aix-la-Chapelle, he said there was an Italian proverb that when the foxes met there was sure to be destruction among the fowls.

5th. I collected the passages from the Amelia Island documents published by Congress at their last session, and those in the proceedings on the trial of Ambrister, showing the connection between McGregor's expedition and the Seminole War, and took them to Mr. Calhoun and to the President. Calhoun thought that in the message the whole history should be traced, from the time of Nicholls's expedition during the late war to

the time of the trial of Arbuthnot and Ambrister. I was of the same opinion. At the President's I met Mr. Crawford. The President read to us the additional paragraphs of the draft of his message that he is preparing. The paragraph respecting our relations with Spain is nearly finished. That concerning South America is not yet begun. Some desultory conversation concerning it took place between us.

6th. I was employed till breakfast-time in looking up documents relating to the proceedings of the British Colonel, Nicholls, in Florida, before and after the conclusion of the late war between the United States and England. I called at Mr. Calhoun's office to ask for copies of certain papers in that Department concerning Nicholls. At the President's I found Mr. G. Hay, who, with his wife and family, arrived here last evening. The President was still engaged upon his draft of the message, and appointed a Cabinet meeting to consider of it for twelve o'clock to-morrow. He appeared to have some hesitation what to say upon South American affairs, and, after consulting me some time, asked me to take a pen and sketch a paragraph upon the subject—which I did. It was, of course, hastily written, and to be altered in phraseology to suit his own taste. He took it, and said he thought it would do in substance.

7th. The meeting at the President's next followed. Glenn, the District Attorney in Baltimore, applied some time since for permission to employ the Attorney-General to assist him in prosecuting several distinguished persons there for being concerned in privateers fitted out to cruise against Portuguese vessels under the flag of Artigas. The Attorney-General does not incline to appear in the causes, because he thinks, under principles lately settled by the Supreme Court of the United States, the persons accused cannot be convicted. He said he thought the Abbé Correa was pushing for the conviction of those persons very indiscreetly, and said the Abbé had even offered him a fee to engage him in the prosecution. The President thought with Mr. Wirt, that it was not necessary that *he* should be concerned in the prosecution; and without him it is easy to foresee what will be the result of it under Glenn's management. But the object of the President in calling this

meeting was to read the draft of the message so far as he had proceeded, and consult our opinions upon it. Some observations were made on the paragraph respecting the commercial negotiation now on foot in England. No ultimate diversity of opinion, however, on that point. The part relating to the war in Florida passed also with very little comment—though Calhoun thinks there is too much said in it about the old story of Amelia Island, and that the President appears in this part of the message to justify General Jackson rather than himself. And it certainly does countenance much more strongly the ground that I took in favor of Jackson's proceedings at the Cabinet meetings in July than I was able to obtain then. But the part which occasioned the principal discussion was that relating to South America. It was not entirely prepared, but its general plan was such as I had advised—referring to the return of the Commissioners from South America, to their reports, and to the mediation which the allied powers of Europe have undertaken between Spain and her insurgent Colonies—collecting this fact from the circular note of Spain to the allies, delivered last June, and inferring from their policy hitherto that, whatever the result of their mediation might be, they would not use force to carry it into effect.

A long discussion arose whether the President should not express his satisfaction that no force was to be used; and this led to a suggestion from Calhoun that a full and elaborate view of our policy hitherto pursued in this respect should be taken, with a strong expression of sentiment and wishes in favor of the patriots, and an argument to prove the inexpediency of a public acknowledgment of their Governments for the present. He thought even that the instructions given last summer to Messrs. Gallatin, Rush, and Campbell, in favor of the South Americans, ought to be communicated. It was observed by him and Mr. Crawford that the main argument used in Congress at the last session against the recognition of Buenos Ayres as an independent Government was, that Commissioners had been sent to obtain information and it was proper to wait for their return. They had now returned, their reports would be communicated to Congress, and the opinion of the Execu-

tive upon the result would be expected, with some reason assigned for still postponing the acknowledgment of the revolutionary Governments. It was scarcely possible, Calhoun said, to be too explicit in the communications from the Executive to Congress. He had felt it by experience, when a member of the House. When the reasons for the policy of the Executive were not thus explained, it became necessary to make them known by personal intercourse with the individual members, which occasioned jealousies and heart-burnings and gave rise to insinuations of improper influence. It would be asked why the reports were communicated, and why anything was said of South America, unless it was the intention of the President to recommend the adoption of some measure; and, as that of recognition would not be recommended, the reasons should be assigned for not recognizing, and, at the same time, the sentiment and wish of the Executive for the establishment of their independence strongly expressed.

Mr. Wirt thought it was a part of the constitutional *duty* of the President, and recurred to the article in the Constitution which prescribes that the President shall from time to time recommend to Congress such measures as he shall judge necessary and expedient. But this case is precisely the reverse; for he does not think it necessary or expedient to recommend any measure.

I said I saw no objection to the President's stating to Congress that he did not contemplate any departure from the impartial neutrality hitherto observed in the contest between Spain and the South Americans. But, recurring to the message at the commencement of the last session, I observed that the communication to Congress of the reports of the Commissioners after their return naturally followed, from the manner in which their mission was mentioned then. And although Mr. Rodney's report was a perpetual argument in favor of the recognition of Buenos Ayres, yet the facts disclosed in it, as well as the opinions of the other Commissioners, afforded ample reason for postponing the acknowledgment of the Government of Buenos Ayres. Another reason equally decisive for that postponement was the mediation undertaken by the Euro-

pean allies between Spain and South America, which is now in operation, and which we know must fail, because it goes upon the principle of restoring the Colonies to the subjugation of Spain and yet utterly disclaims the application of force in any event. It is our true policy to let this experiment have its full effect, without attempting to disturb it, which might unnecessarily give offence to the allies; and after it shall have failed, as fail it must, and as England certainly must know it will, we shall then be at perfect liberty to recognize any of the South American Governments without coming in collision with the allies. These were reasons more than sufficient to be substituted for that of waiting for the report of the Commissioners, which was used at the last session for postponement. But with regard to the facts relating to the European mediation, some of them had been communicated to us in close confidence by the British Government, and the President could not dilate upon them without giving them a color to charge us with a breach of that confidence. Still less can he enlarge upon the facts in the internal condition of South America which operate against the acknowledgment of the Government of Buenos Ayres, the principal of which is that they pretend to the sovereignty of the whole Viceroyalty of La Plata, while Portugal is in possession of Montevideo, Artigas of the Banda Oriental, Paraguay under other separate government, and the Spanish royalists in five other provinces. To assign these reasons would be doubtless offensive to Pueyrredon and his Government, yet they are reasons decisive for not acknowledging them at present. As to expressing sentiments and wishes in favor of the patriots, and at the same time giving all the reasons for not acknowledging their Governments, it would probably give dissatisfaction to both parties, and be liable to the charge of duplicity from both: from Spain, as incompatible with the profession of neutrality; from the patriots and their partisans here, as empty professions, contradicted by the refusal to do the only act which they ask of you, and which could manifest your friendship for them and your sympathy with their cause.

Crawford said he had no doubt this objection would be taken to such a course, and by those who were of very high con-

sideration in Congress. He nevertheless inclined to its being taken. The President entered but little into this discussion, nor did he pronounce his own determination upon it. Calhoun said that we were unanimous in the opinion that the recognition ought not now to take place. Crawford and Wirt did not contradict it. The conversation burnt out by four o'clock.

8th. I began the draft of a dispatch to G. W. Erving, in which I propose to give a succinct account of the late Seminole War from its origin, and to trace the connections between Arbuthnot, Ambrister, Woodbine, Nicholls, and McGregor with that war, in such a manner as completely to justify the measures of this Government relating to it, and as far as possible the proceedings of General Jackson. The task is of the highest order: may I not be found inferior to it! I made some progress in the draft, but it must be the work of several days.

9th. I received a note from the President asking me to call upon him at twelve o'clock with the statement of General Jackson's allegations against the Governor of Pensacola and the Commandant of the fort of St. Mark's, and also as he wished to show me the modification to certain parts of the message. I went accordingly with Jackson's letter of 23d May to the Governor of Pensacola. The new paragraph for the message related to the mediation of the allies between Spain and South America, and was entirely conformable to the views that I had presented at the meeting on Saturday, combined with those presented by Mr. Calhoun and Mr. Crawford.

Mr. De Neuville came and spent the evening with me. His object was to talk over with me the state of our negotiation with Spain, to ascertain whether we would yield anything further on the western boundary, and whether we contemplated any hostile measure towards Spain.

I told him that as to the western boundary we had retreated to the wall; we had given our ultimatum to Mr. Onis, and only wished from him an explicit answer, yes or no. He said he was extremely sorry to find us still so wide apart. He had had a long conference this morning with Mr. Onis, who could not agree to our terms. His powers would not authorize him to agree to them. But he might make other propositions to us,

if there was any chance of their being accepted. I told him that if relating to the western boundary, they would be useless.

He said Mr. Onis wanted him to interpose by a note or a declaration of France in favor of Spain, but intimated that he had declined, and told him that if he did give a declaration it would displease both parties, for it would be against the United States upon the Florida and French Consular points, and against Spain upon the western boundary. As to the indemnities for French Consular and privateering depredations in Spain, neither Spain nor the United States could have any claim upon France on that account; that was quite out of the question.

I told him that the United States neither had nor demanded anything from France on that score. But if France, as a common and impartial friend to both parties, interposed with her advice to arrange their differences, we did not expect that she would present herself at the same time as making common cause with Spain upon any of them. As to declarations, France, under the Government of Napoleon, had already given them as strong and explicit against us as Spain could desire, and Spain had taken all the advantage from them that she could derive. The present Government of the Bourbons was not committed upon them; and as Spain and the United States were not to agree, and any formal interposition or declaration of France could have no sort of effect, as a friend, I would advise him to avoid any interposition at all.

He professed to acquiesce in this opinion. He spoke also of South America; said he had now full and accurate information of its interior; that Mexico was in a state of perfect and entire subjection to Spain, without an appearance of rebellion against the royal Government, and that Pueyrredon was ready to receive a Prince of the family of Spain to be the King of Buenos Ayres. I congratulated him upon the accuracy of his information, but I believe he thought I was laughing at him. He also told me he knew all about the arrangement between Spain and Portugal. Montevideo was to be given up, but Portugal was to remain afterwards neutral between Spain and her Colonies. I asked him to whom Montevideo was to be given up for Spain. He said, "To a competent force." "And whence was that

competent force to come?" He did not know. He admitted, however, that the course of events would assume their own character in spite of anything that could be done by the allies. He spoke again about the claim of France to special favors in the ports of Louisiana, and intimated to me, as he had done several times before, that Mr. Crawford is of opinion the claim of France in this case is just.

10th. I was at the President's, and urged him to obtain authority from Congress to keep hold of the posts in Florida till Spain resumes her negotiations with us.

11th. The Spanish Minister, Onis, came to my office at two o'clock. I had received yesterday from him a note, stating that having heard the *other* foreign Ministers had been received at a private audience by the President to present their respects to him, he, wishing not to be behind them in manifesting his respect for the chief magistrate, requested an audience for that purpose and to present to him the gentlemen of his Legation. I sent to request him to call at my office to-day, and when he came told him that Mr. Bagot and the Viscount de Quabeck had had audiences to deliver letters from their sovereigns, and the Abbé Correa, at his particular request, to present his Secretary of Legation, newly arrived, but that no other of the foreign Ministers had had an audience. If he had any gentleman attached to his Legation not yet presented, and was desirous of an audience to present him, the President would very readily grant it. He said he would not give the President that trouble. He had supposed *all* the foreign Ministers now here except himself had asked for audiences and been received, and did not know that it had applied only to those who had special occasion for it. He had a new Cavalier de Légation, Mr. La Serna, and Mr. Noël had returned from New Orleans, but he should be satisfied to present them at the first drawing-room, as had been practised last year, and was only anxious not to be wanting in any proper mark of respect to the President. He then said something about our negotiation; that he should shortly send me a reply to my last note; that he could not agree to my proposal for the western boundary; that they had always supposed our proposed line would be north to the

Missouri and follow the course of that river; that as to the cancelling of the Spanish grants of lands prior to the cession, they could not go back, as we had proposed, to the year 1802, but he thought we should be able to agree upon a middle term; that he had just received dispatches from his Government to the 31st of August, and that if, after his reply to my last note of proposals, we could not agree, we could then exchange the ratifications of the Convention of 1802. I called at Calhoun's office to enquire for documents respecting the destruction of the negro forts, and others to be referred to in the letter I am preparing to Erving.

12th. I was at the President's, and he read to me the remaining part of his intended message. The draft is now nearly completed. I called at Calhoun's office with some fresh documents from General Jackson respecting the harboring and supplying of Indians at Pensacola. Those respecting the destruction of the negro fort were at length obtained from the Navy Department, and are important. I was engaged in perusing them and some others at my office till near five o'clock.

16th. The President had sent back my draft of a letter to G. W. Erving, requesting me not to close it till after seeing him. There were two or three words which he thought it would be best to omit, and which I accordingly struck out, but there was a passage which I thought it highly important to retain, and to which he objected, from the apprehension of its giving offence to the British Government, by referring too directly to their policy in relation to our Indian affairs. It was precisely in the kernel of the vindication of Jackson's execution of Arbuthnot and Ambrister, and if left out would very much weaken the case made. I defended the passage so strenuously that the President finally directed me to show it to Mr. Crawford and Mr. Calhoun, and, if they should agree with me in opinion, to retain it. At my office it was like two-thirds of the time that I pass there—a hurly-burly day, a perpetual succession of objects rushing upon my attention, and leaving no time for reflection or steady application to any one. I took to Mr. Calhoun my draft to Erving and some of the principal documents that support it. He agreed in opinion with me upon the passage to which the

President objects. Received from Mr. Onis a long reply to my last note, with enclosures.

17th. Great part of this morning employed in collecting the documents to be sent with my letter to G. W. Erving, to whom I made a draft of another letter, informing him that at his repeated and urgent request a successor will be appointed to the mission at Madrid.

The message of the President to Congress was this day sent in. He told me that he would himself send copies of it to the Governors of the several States and to the former Presidents. Mr. Calhoun called upon me with my draft of a letter to Erving. He has partly come over to the President's opinion, and advises to soften and modify the passage to which he objected. I sent the draft to Mr. Crawford for his revision.

The French Minister, Hyde de Neuville, came to talk with me about our negotiations with Spain and to urge our yielding further upon the western boundary of Louisiana. He said he had thought we offered the forty-second degree of latitude, running to the South Sea; but I had very explicitly told him, and shown him, that it was the forty-first. He went over all the arguments he could muster; but I repeated to him, and requested him to write to the Duke of Richelieu, that we had retreated to the wall upon that quarter, and would never give up one drop of the waters of the Mississippi. I told him I would, however, give him a certificate that he was a faithful liege to the King of Spain. He said Onis would give him a counter-certificate that he was a true American. He said the President's message had given more information than he knew of in respect to the mediation of the allies between Spain and her Colonies—particularly that they did not intend to apply force. He thought nothing had been agreed upon in that respect. It was not known even that it would have been treated of at Aix-la-Chapelle at all. I asked him for what reason the conferences there had been suspended for a month. He said it was on that account, it was true, but nothing had been agreed upon. He asked me quite confidentially, and with an air of mystery, what possible motive Portugal could have for taking such pains to prevent a settlement of the differences between

the United States and Spain. I told him the motive was very obvious. Portugal had herself a quarrel with Spain, in which at its first eruption the allied powers, in my opinion somewhat unadvisedly and hastily, had taken part with her adversary. The policy of Portugal was therefore forced and unnatural. She was under a pressure which compelled her to take advantage of everything that can help to extricate her from her embarrassment. Nothing can serve her purpose in this respect better than the continuance of misunderstanding between the United States and Spain, and, as England has reconsidered her first movements in the affair between her and Spain, and now sides with Portugal, she has a fair chance of coming off with flying colors. This I said as explaining the motive; but with regard to the fact, what was the ground of his insinuation that Portugal did take any part in fomenting our differences with Spain?

He declined giving any further explanation, and repeated that what he had said was strictly confidential. He meant to insinuate that the Abbé Correa was taking pains to prevent Onis from coming to terms with us. I told him I was perfectly satisfied that Spain had no intention of coming to terms with us. The note which I had received from him yesterday was demonstration of it. He insisted upon the punishment of General Jackson. He proposed, as we could not agree, to refer the whole matter to the Congress of sovereigns at Aix-la-Chapelle. What was this but arrant trifling? He said that he could not undertake the defence of Mr. Onis's notes. I told him that while Mr. Onis wrote such notes he must be sensible there could be no chance of our coming to an arrangement. He left me in very good humor.

18th. I stopped at Mr. Crawford's office and took my draft of a dispatch to G. W. Erving, to which he proposed a few alterations and one addition, to all which I readily agreed. A modification of the sentence objected to by the President is to be made. Crawford told me that he had good news this morning from Georgia—that Forsyth and Elliott were elected Senators by the Legislature; though, he said, Forsyth's place would be missed in the House of Representatives, as Chairman of the

Committee of Foreign Relations, particularly as Lowndes had stayed away to avoid being Chairman of the Committee of Ways and Means. Smith, of Baltimore, stood next, but the Speaker for the last two years had taken a particular grudge against him, and never missed an occasion of attacking him. I said if he appointed him Chairman of the Committee I presumed he would at least observe some decency with him, which he did not last winter. He said Clay treated scarcely anybody with decency last winter, but he thought he would be much smoother this session. He held very much to his place as Speaker of the House, and if he continued this winter his last year's course he would certainly not be Speaker of the next House. He had disclaimed at home any intention of opposing the Administration, and he had done the same thing individually to him. Upon the whole, he hoped we should have a fair-weather session. Judge Bland called at my office to enquire if I had perused his report and had any remarks to make upon it. I had not. The report alone is of more than three hundred quarto pages. I told him I would peruse it as soon as possible, as he is desirous, as soon as he can, to return home. I was deeply engaged all the remainder of the day in hunting up and examining documents for my letter to Erving.

19th. Major William Jackson, of Philadelphia, called upon me; he is here as agent for the surviving officers of the Revolutionary War who are applying to Congress for further remuneration for their services. He left with me a copy of his memorial to Congress, and of a pamphlet that he has lately printed on the subject. He says the President has promised all his support to the memorial, and requested, if it should be in my power, to give any assistance to it, which I assured him I would. As he was the Secretary of the Convention of 1787, which formed the Constitution of the United States, I asked him to call again at my office this day, to look at the journals and papers deposited by President Washington in the Department of State, 19th March, 1796, and, if he could, to explain the condition in which they are. He did accordingly call, and looked over the papers, but he had no recollection of them which could remove the difficulties arising from their dis-

orderly state, nor any papers to supply the deficiency of the missing papers. He told me that he had taken extensive minutes of the debates in the Convention, but, at the request of President Washington, had promised they should never be published during his own life, which he supposed had been a loss to him of many thousand dollars. He told me how he had been chosen Secretary to the Convention, for which place W. T. Franklin and Beckley were his competitors, and said that by far the most efficient member of the Convention was Mr. Madison; that Mr. Hamilton took no active part in it, and made only one remarkable speech. He also said Mr. King had told him he could perhaps supply some papers relating to the Convention, of which he was a member.

20th. I finished the amended draft of my letter to G. W. Erving. At the President's. I urged him upon the point of obtaining authority from Congress to take possession of Florida in case of any new hostilities from the Indians there against us. He thinks it best to wait and see what the allies will do at Aix-la-Chapelle. Judge Bland called at the office: he wishes to return home. I have been able to read but a very small part of his report, and am obliged to give it immediately to be copied; but from what I have read I have formed a very favorable opinion of it. Mr. G. Graham also came to the office, and gave me an account of his mission to the Trinity River, from which he has just returned. He had a sort of negotiation, it seems, with Lallemand and Lafitte, from which it appears that Lallemand's case is desperate. Graham's transactions with Lafitte, as related by himself, did not exactly tally with my ideas of right, and they were altogether unauthorized. He says Lafitte told him that he had commissions for his privateers from the Mexican Congress, but they were like Aury's commissions, and he (Graham) advised him to take a commission of Buenos Ayres, and gave him a letter to De Forrest, at New York, to assist him in obtaining one, and that Lafitte took his advice, and immediately dispatched a man to New York for that purpose. Now, I should not be surprised if we should hear more of this hereafter, and not in a very pleasant manner. But it was all of Graham's own head, and,

in my opinion, not much to the credit of its wisdom. He is for taking immediate possession of Galveston, and so am I; and he has persuaded the President that we have offered Spain too much in consenting to take the Sabine for the boundary at the Gulf of Mexico. He thinks we should go to the Brazos de Dios. The President wrote me a note suggesting a wish that I should send Onis, as soon as possible, an answer to his last letter, and, as he has rejected the western boundary offered as our ultimatum, the United States must no longer be bound to accept it. I was therefore engaged all the evening upon the draft of a new letter to Onis, and left it unfinished.

21st. Finished my draft of a letter to Onis, which I took to the President's, read to him, and left with him.

23d. Finished at length a draft of a letter that I have had some time in hand to R. Rush, and took it to the President, with whom I left it some time for consideration. He returned me the draft of a letter to Onis, with some alterations which he suggested as necessary. He thought, among other things, that I had gone rather too far in the justification of Jackson's proceedings in Florida. He says he is decidedly of opinion that those proceedings have been attended with good results, and that they were in the main justifiable. But they were certainly not contemplated in any of the instructions given to Jackson. He thinks they were not covered by them. He also thinks that the ultimate and deliberate opinion of the public will not entirely justify Jackson, in which opinion I entirely concur. He therefore supposes the greatest and most effectual service the Government can render Jackson is by shielding and supporting him as much as they can, but without committing the Administration itself upon points on which the final and impartial verdict of the public must be against him. This is wise and just and generous policy. I took the letter, by the President's directions, to Mr. Calhoun, requesting him to peruse and pass it over to Mr. Crawford.

24th. Finished the draft of a letter to A. Gallatin, and took it to the President, with whom I left it. He returned me that I had left with him yesterday, intended for Mr. Rush, without remark or proposal of alteration—which was unusual; but he

told me, with some apparent agitation, that a person had been to him last evening and told him that Mr. Bagot was going to have a christening at his house, of his daughter; that the Prince Regent was to stand sponsor, and I was to stand as the representative of the Prince Regent; and asked me what there was in it. I said it was true Mr. Bagot was going to have his child christened next Friday evening; that he had called yesterday at my house and given to Mrs. Adams an invitation to herself and me to *attend* at the christening, which was to be at seven o'clock, and after it, at eight, was to commence a ball, to which all the world was invited; that the Prince Regent was to be sponsor for the child, but I was not to be the representative of the Prince Regent. No such idea, to my knowledge, had ever been thought of by Mr. Bagot. He had certainly mentioned none such to Mrs. Adams. He had told her that the Prince Regent's representative would be Mr. Greuhm, the Prussian Minister, his sovereign being a family relation of the royal family of England. Mrs. Adams had told Mr. Bagot that, owing to a calamity which had befallen us in our own family, we did not yet go at all abroad into company, but Mr. Bagot having answered that this was a religious solemnity, upon which he had hoped we should make an exception, Mrs. Adams had told him we would come to the christening, and immediately afterwards withdraw, before the ball begins. I should have given the same answer; but, as I had in fact given none, I could yet, if he thought it advisable, decline.

He said no—he thought there would be no necessity for that; but, as the account of the christening would doubtless be published, it would be well to have it stated that we retired immediately after the ceremony. And he asked me if the other heads of Departments were invited. I told him I did not know, but I believed not to the christening—they doubtless were to the ball; and I supposed Mr. Bagot's motive for asking us was the special relation between him as a foreign Minister and the Department to which I belong.

The President said that the story of my being to represent the Prince Regent was told him last evening by a person friendly to me; that he did not believe it, and had said so, but

that it would injure me very much, and if he should hear of it again he would contradict it, as he wished me also to do. He could not conceive what motive there could be for persons to make up such stories.

I told him I certainly had not expected that a political use was to be made of an invitation from Mr. and Mrs. Bagot to my wife and me to be present at the christening of their child; but the motive did not lie very deep. There had been a spirit at work ever since I came to Washington very anxious to find or make occasion of censure upon me. That spirit I could not lay. My only resource was to pursue my own course according to my own sense of right, and abide by the consequences. To which the President fully assented.

Mr. Bagot came, and I had a conversation of two hours with him. He had an instruction from Lord Castlereagh to make enquiries concerning the crime of forgery in this country. He supposed it a circular, but did not exactly understand what it meant, whether referring to the laws for its punishment, or to the fact of its frequency and extent, and of expedients used to prevent it.

I told him I thought he would be safe in considering the instruction as applicable to all those circumstances, and in reporting information upon them all. I read to him the laws of the United States relating to forgery, and referred him to the British Consuls to obtain from them the laws of the several States on the same subject. I referred him also to Jacob Perkins, of Philadelphia, for his patent invention of steel plates for engraving bills which cannot be counterfeited, and to the newspapers of last spring for accounts of the detection of a gang of bank-bill forgers in Canada, on the borders of the United States.

He thanked me, and said I had entirely relieved him from his embarrassment by pointing him to sources by which he would be enabled to give a satisfactory answer to the dispatch. He then spoke upon several subjects concerning which he has lately written to me—the money embezzled by Rudd, Clerk of the New York District Court; the extra pilotage levied upon a King's ship there; the bonds said to have been unnecessarily required of a British vessel bound to Liverpool—

and finally asked if there was any further information that I had to communicate in relation to the execution of Arbuthnot and Ambrister.

With regard to the other points, I promised early attention to them, and as to the last, told him that a full exposition of the causes and origin of the war in Florida would be given in a dispatch to our Minister in Spain, together with all the vouchers supporting the statement of facts; that the war would be traced to Nicholls and his negro fort—and that Arbuthnot will be shown to have been the cause of the renewal of the war. He said he had thought Arbuthnot had been merely a meddling trader. Ambrister, indeed, evidently had political objects in view. But he thought there was no evidence of any connection between Arbuthnot and Woodbine. I immediately referred him to documents which proved that there was. He read me the instruction which he had first received from Lord Castlereagh upon the subject, and in which he appears to be embarrassed and distressed about it. He was anxious to persuade me that the British Government had given no countenance or encouragement to the Indians, and declared that he never had any instructions whatever to attend at all to the affairs of the Indians. I said that I was convinced Arbuthnot had been an impostor and falsely pretended to authority, but he had explicitly referred to Governor Cameron as having given him the copy of a letter from Earl Bathurst, to be communicated to the Indians, stating that he (Bagot) was instructed to attend to the affairs and rights of the Indians.

He said Cameron ought to explain that to him. He did not know how to account for it, unless Cameron had turned South American patriot and was in concert with McGregor. I said that our object in what would be published would be merely to justify ourselves. We did not wish to enter into discussion with the British Government upon any of the facts that would be disclosed, but if the British Government should find anything in the publication which they should judge required denial or explanation to vindicate their own good faith, we should be happy to receive it. To be candid with him, I did think that if his Government had been as explicit in the disapprobation of

Nicholls to himself as they had been to me, I believed we never should have had this war.

He said the Government had been very explicit with Nicholls. He had himself copies of the papers that had passed between him and Earl Bathurst. His treaty was disapproved. He was told that he had made it without authority, and that Hillis Hadjo must be sent back and told that his people must make the best terms with the United States that they could; that the only presents made him were a pair of silver-mounted pistols, twelve spades, as many hoes, and some other instruments of agriculture; that it was not true that he had received a commission as a British officer. I mentioned his complaint in one of the papers, that he had lost his uniform. Mr. Bagot had not seen that, but said the uniform said to have been found at the house of one of the chiefs must have been Ambrister's. I said that among the papers to be published would be one of General Jackson's, charging, with some severity, his Government. We should have been glad to avoid the publication of it, but as Jackson's own conduct had been much brought in question, it was thought due in justice to him to suppress nothing that he had alleged in his own vindication. He said he should think little of anything said or written by General Jackson, because he thought there were evident marks in his conduct of personal bitterness and inveteracy.

I said that I thought the papers which he had before him would have produced the same impressions upon the most impartial person, and that I thought the execution of the two men was justifiable according to the ordinary laws of war.

He said he wished Jackson had sent them, bound hand and foot, to be punished here. I told him we could not in that case even have tried, and much less have punished them. We must immediately have let them loose, and the next day they might have played over the same game again. It was past five when Mr. Bagot left me; as he went, he spoke of his christening. I asked him to excuse us from attendance, as we went out nowhere, and should not even attend the drawing-room at the President's to-morrow evening. He consented, saying that he had appointed the christening for seven o'clock and the ball

to begin at eight, but perhaps they might run one into the other.

25th. The President returned me the draft of a letter to Mr. Gallatin, with a direction to make an alteration of one sentence. On reaching my office I found Mr. King, and had with him a conversation of more than two hours, ranging over the whole extent of our public affairs. He is not reconciled to our agreement to renew the commercial Convention of July, 1815, though I showed him the list of British and American vessels which have entered at the port of Liverpool since the peace, manifestly showing that our shipping are rapidly eating out the British from almost the whole of the direct trade between the United States and England. King acknowledged that it was a very powerful document, but he wants to have our privileges of trading with the British East Indies enlarged, particularly so as to enable us to go from thence directly to China.

As he was leaving me, he said it was reported I was to stand proxy for the Prince Regent at Mr. Bagot's christening, and asked me if it was true. I told him it was not: he had simply invited me to his christening; but I had declined going, as I do not go into company anywhere. He said he was glad of it, because some nasty story might have been made out of it. When I came home I found Mrs. Adams had been visiting, and it was all over the town among the ladies that at Mr. Bagot's christening she was to have held the child. To trace the source of these reports, fabricated from an incident so perfectly insignificant and for purposes so obviously malevolent to me, would be useless; but even from this I would learn a lesson of humility and of discretion—of humility at seeing the President thrown into such a state of trepidation for fear that I was about to commit an enormous indiscretion, which might ruin the popularity of his Administration, as, without waiting to ascertain the facts, to mention the matter to me at all. If there was not a want of delicacy towards me in this procedure, there was at least a great want of confidence in my prudence. It gives me, therefore, the measure of the President's feelings and opinions in reference to me; and they are not flattering. In my own opinion, if the whole story had been true, the circum-

stance would have been of so paltry and insignificant a character that it was utterly unworthy of the President's attention for a single moment. That it would have afforded occasion for invidious and malignant paragraphs in the newspapers, both against him and me, I certainly should have seen, without needing an admonition from him; and therefore if Mr. Bagot had made the proposal to me, of standing as the Prince Regent's proxy, I should have declined; and I think the President might have trusted sufficiently to my judgment to presume that I should not expose myself or him to obloquy so entirely without necessity. But the President takes impressions very hastily, and they are apt to unsettle his own judgment for a short time. In this instance I have perhaps complied with them further than I ought to have done. One great motive for it has been that, so soon after my dear mother's decease, I was unwilling to go to the house of feasting at all, and was glad of an opportunity to make an excuse for avoiding it. The lesson of discretion is to take double heed to my steps: when, without any agency of mine, falsehoods like this are raised from the most trivial incidents of daily occurrence in domestic life to make me ridiculous and odious in the public opinion, what can I say but that it is not in man that walketh to direct his steps, and to implore guidance from above to walk uprightly, and strength from above to go through good report and evil report?

27th. Mr. R. Walsh called upon me this morning. He is here, as he says, to attend to a claim of his brother-in-law's, of land in Louisiana, under Bastrop's grant, but, he said, he supposed what General Armstrong, while Minister in France, had written respecting some other claim would be applicable to this—that its magnitude alone was a sufficient reason for its rejection. Walsh seems to be in very ill humor with all the world. He talked to me of the clumsy manner in which the President's message was put together, of the incapacity and unprincipled thirst for popularity of Judge Bland, who, he says, narrowly escaped being indicted last week at Baltimore for privateering under the flag of Artigas. Walsh is one of the most powerful writers in this country, but he came out originally as a political fanatic against Bonaparte, and subsequently

as a federalist of the highest color. In this character he wrote and published himself completely down in this country—then renounced his ultra federalism, and at the commencement of Mr. Monroe's Administration was prepared to be one of its most ardent supporters. He came and spent the last winter here, volunteered his services on various occasions, actually wrote and published several very good papers on the affair of Amelia Island, and gave me to understand that he would accept any employment suited to his abilities and for which there would be adequate compensation. He spoke particularly of the superintendence of the publication of the Journal of the Convention of 1787, and of other documents, according to a resolution of Congress, adopted at their last session. I mentioned him to the President, who spoke of him respectfully, but thought the public feeling was not prepared to be satisfied at seeing him employed. Walsh removed last spring to Germantown, and since then to Philadelphia. His temper, never good, is now soured by deep disappointment. I am afraid his circumstances are much embarrassed, and he has a growing family for which to provide. His politics have been, and will be, his great misfortune.

28th. Mr. Holmes and Mr. Spencer, members of the Committee of Foreign Relations of the House, called here this morning; Holmes is Chairman of the Committee since Forsyth has been removed to the Senate. They came to enquire if there were any measures in regard to foreign affairs which the President thought would require legislative acts. I told them the documents would be transmitted to Congress as soon as the copies could be made out, and doubtless would be referred to that Committee. Legislative measures might probably be necessary in the course of the session, and a concurrent act of the legislature would be required to enable the Executive, under certain contingencies, to do what Spain had been informed would in such case be done.

We had much conversation upon the late transactions in Florida, and I read to them a part of my dispatch for G. W. Erving. At the President's, he and his brother consulted me concerning his invitations to the Corps Diplomatique. I ad-

vised him to invite every individual of them who had been presented to him or his lady. I mentioned to him the visit from the members of the Committee of Foreign Relations. He does not yet incline to be authorized to take Florida upon certain contingencies.

30th. At the office, Mr. Bagot called and showed me several original papers respecting the disavowal by the British Government of Nicholls's transactions in Florida after the peace. One was a copy of a letter from Nicholls to Earl Bathurst, dated July, 1815, announcing his arrival in England, with Hillis Hadjo and the treaty of alliance, offensive and defensive, and an answer from Lord Bathurst declaring that Nicholls had no authority to make any such treaty, and that Hillis Hadjo must immediately be sent home. There was also a letter to Hillis Hadjo himself, informing him that a passage back was provided for him, and advising him to make peace with the Americans as soon as possible. A letter to Mr. Baker, then Chargé d'Affaires at Washington, communicating those papers, and further disavowing Nicholls, with an endorsement by Baker that he had communicated those papers to Mr. Monroe at an interview on the 6th of December, 1815. Lord Bathurst's letter to Baker is dated 26th September, 1815, the day after my note to him on the subject. I told Bagot that I was sorry I had not copies of those papers to communicate with the other documents which would be published, as they would strongly confirm the proof that the conduct of Arbuthnot and Woodbine had not been authorized by the British Government.

Mr. Hyde de Neuville came also to the office, and had a long conversation with me upon our affairs with Spain. I read to him Pizarro's note of 29th August to Erving, which he told me that Onis had not communicated to him, and he was extremely urgent that we should wait till Onis can have new instructions from his Government since the change of Ministry there, before we send in to Congress the papers of the late negotiation. He says that now Pizarro is out of office, he can tell me that he was one of the great obstacles to an arrangement with the United States, and that the Duke de Richelieu was much dissatisfied with him on that account.

I told him we had no reason to expect anything favorable from the exchange, the Marquis of Casa Yrujo being well known in this country, and that the documents of the negotiation, having been promised to Congress, could not be withheld. He endeavored to press again upon the subject of the western boundary, but I told him I had sent this morning a letter to Mr. Onis, informing him that as he had rejected our offer of taking the Sabine for a boundary, we should no longer be bound by it. We parted in very good humor.

*December* 2d. Called at the President's. He had two sets of papers ready to send to Congress, with messages accounting for their not having been sent before. There was an article in the National Intelligencer of this morning asserting in the most positive terms that the office of Secretary of the Navy had not been offered by Mr. Monroe to Commodore Rogers. He was displeased with it, feeling that Commodore Rogers would be mortified if it remained uncontradicted, and that if contradicted, Mr. Thompson, who has accepted the appointment, will be mortified no less. He concluded to send for Gales, one of the editors of the Intelligencer, and have an explanation with him, and then to write a note to Rogers.

3d. Visit from Mr. Clay, the Speaker, who was quite good-humored. At the President's, and read to him the draft of a letter to R. Rush. The article in the National Intelligencer of yesterday which gave the President so much concern, lest it should mortify Commodore Rogers, was put in by Commodore Porter at the instance of Rogers himself, who would not suffer it yesterday to be contradicted. The positive assertion in it, that Mr. Monroe did not offer to Rogers the office of Secretary of the Navy, is not true. Now, if any one should say to Porter or Rogers, "You have published a lie," they would be bound by the laws of honor to challenge him to a duel. And why is giving the lie to a man of honor so inexpiable an affront? Because it imputes to him that which is infamous. How, then, can Porter or Rogers justify themselves for passing this deliberate falsehood upon the public?

6th. Visits to Mr. Middleton at Kalorama, the place which belonged to the late Mr. Barlow; and to Mr. Gracie and Mr.

King, at Crawford's Hotel, Georgetown. Middleton told me that a piece some time since published in the newspapers, signed "Franklin," in which it was said that any judge who should presume to condemn the privateersmen under South American colors could not expect to exist long, either as a judge or as a man, was written by Skinner, the Postmaster at Baltimore; that he had seen it in his own handwriting. Skinner is under indictment for being concerned in this very privateering, and Judge Houstoun, the District Judge at Baltimore, received shortly before the sitting of the Court this newspaper under a blank cover. That a pirate should threaten to murder his judge is not very surprising. Mr. King told me that Walsh had shown him a manuscript biography of Dr. Franklin, which is to be published in a Review, and that he is going to swell it afterwards into a book; that he is to make Franklin the Atlas of our American Revolution, as Wirt has attempted to make Patrick Henry. King says he told Walsh that in all this there was no truth, but Walsh must make his romance, and will not be balked of his hero.

7th. Mr. Bagot came with a complaint of some intrusive settlers from Kennebeck River having encroached upon the possessions of a French settlement on the borders between Massachusetts and New Brunswick, on a spot subject yet to the determination of the Commissioners whether it belongs to the United States or to the British Province. I told him I supposed they were squatters, and, as they were mentioned as coming in families, peaceable measures would doubtless suffice to warn them off or remove them. I advised him therefore to procure the names of the persons complained of, and upon receiving them we would take suitable measures, if necessary, to restrain them. We had an hour's conversation also upon South American affairs, and upon the execution of Arbuthnot and Ambrister. I told him that as the Congress at Aix-la-Chapelle had refused to take up the subject, I concluded the mediation project was, or soon would be, abandoned; that the time must soon come when Great Britain would be prepared to acknowledge one or more of the South American Governments, and we should then be prepared to act in concert with

her—not of formal compact, but of common good understanding. I desired him to write this to Lord Castlereagh, and to urge the necessity of an early decision upon the subject. I told him my conclusion that the unsigned paper, taken among those of Arbuthnot, was Governor Cameron's answer to the representation of the two Indian deputies whom Arbuthnot took with him to Nassau; which he thought highly probable.

8th. At the President's. He had received a new old map of Louisiana, from New Orleans, which he sent over to the Department. I urged him to the immediate nomination of Ministers to Rio de Janeiro and to Spain. He desired me to see Mr. Graham and ask his definitive determination whether he will go to Brazil; and as to Spain, he told me he had not thought of any person yet. He had said so to me before, and asked me to think of a person. I now mentioned to him Mr. Middleton, whom Mr. Calhoun had spoken of and recommended to me. Upon which the President said—"or Mr. Forsyth." I have a strong impression that the latter will be the man. The President also said Mr. Jefferson had told him it was Mr. Gallatin's intention to come home next year, and added that it would soon be necessary to select some Eastern man for a foreign mission. "Je vois venir." There is what in vulgar language is called an undertow always working upon and about the President—what used in England to be called a back-stairs influence—of which he never says anything to me, and which I discover only by its effects. I gave him the dispatches yesterday received from Forbes, and G. W. Campbell, and Jonathan Russell, who is an Eastern man, and, if Gallatin comes home, will, I suppose, be the competitor with the other Eastern man, whose expectations have really more solid foundation than I had thought possible.

9th. In the evening went to the drawing-room at the President's. It was very full. Mr. Hyde de Neuville, the French Minister, is to give a fête on the evacuation of France by the allied troops, and is very desirous of having the attendance at it of the President and Mrs. Monroe. He makes of it quite an affair of negotiation, and requested me to speak of it to the President.

10th. At the President's. I mentioned to him Mr. Hyde de Neuville's extreme desire to have him and Mrs. Monroe attend his ball next Monday. The President was disposed to gratify him, if there had been an example since the existence of the present Constitution of a President's going to the house of a foreign Minister. He said he would send to ask Major Jackson, who had been President Washington's private Secretary, what his practice had been, and he would consult the gentlemen of the Administration concerning it, for which he appointed a meeting at one o'clock to-morrow. Mr. de Neuville came to the office in high anxiety concerning it, and I appointed to see him to-morrow at three o'clock.

11th. At the President's, where I met Mr. Crawford and Mr. Calhoun. The President found, upon enquiry of Major Jackson, that President Washington never had been at the house of any foreign Minister; nor had any other President. He determined, therefore, not to break through the established usage. Next came the question with regard to Mrs. Monroe, upon which we could have no deliberation, and which was therefore left to her own decision. The President went and consulted her, and she said she did not think it proper for her to go to any place where it was not proper for her husband to go. The President said he should request his daughter, Mrs. Hay, to go. On returning to the office, I sent for Mr. De Neuville and gave him the information. He was apparently much mortified at it, but suppressed his feelings within bounds of decency. The flightiness of his head often amounts to absolute mental derangement. One day last summer Roth, the Secretary of Legation, came to R. Forrest and told him he was afraid it would be necessary to take measures of public notoriety to restrain him. And he is always endeavoring to manage political affairs by the aid of women. This is the way in which he has been attempting to intrigue with Mrs. Hay. But among the numberless questions of etiquette and precedence here which the want of all established rule has occasioned, one has arisen between the ladies of the foreign Ministers and Mrs. Hay, the consequence of which is, that now they do not visit.

12th. At breakfast I received a note from Mrs. Hay, re-

questing me to call upon her this day before seeing Mr. De Neuville, if possible. I called at Peale's and told him I could not sit this day; then called upon Mrs. Hay, with whom was her mother, Mrs. Monroe. Her object was to desire me to inform Mr. Hyde de Neuville that she would, at the request of her father, though she said it was much against her own inclination, go to the ball next Monday; but it was upon conditions: first, that it should leave her position with the ladies of the foreign Ministers precisely where it was; that she would afterwards neither visit them, nor receive visits from them, nor accept of any invitation to their parties; second, that no rank or station should be assigned to her at the ball—no pretence of distinguishing her as the President's daughter; that at supper she would find her place somewhere among the Commodores' wives, but must have no particular distinction shown her; third, that Mr. De Neuville might write to his own Government whatever he pleased upon the subject, but that if an account of the ball was to be published in the newspapers here, her name should not be mentioned as having been present.

Mrs. Monroe then made some remarks about her own determination not to go, and about the multitude of questions concerning first visits, which are as numerous as there are individuals. Among the rest, she told me that the ladies of some Senators did not visit her, because she had adopted the rule of not returning visits; but they accepted invitations to her house.

I next called at the President's. He spoke to me about a call from the House of Representatives for the correspondence between the Governor of Georgia and General Jackson about the destruction of the Chehaw Town. He said there appeared a disposition in the House to push hard upon Jackson, and although it was impossible to justify him upon everything, yet, as the whole view of the affair would be honorable to him, it was desirable that Congress should have all the papers on the subject. I promised to look up all those in the Department. He said it would be best for some member to move for an enlargement of the call, to embrace all the papers.

I told the President I had seen Mr. John Graham, who would accept the appointment to Rio de Janeiro. I also mentioned Appleton to him. He spoke again of Forsyth and Middleton for Spain. Forsyth will undoubtedly be the man. I sent for De Neuville to the office, and informed him of Mrs. Hay's conditions upon which she will go to his ball. He put up with them more coolly than I expected. We had also some conversation upon our affairs with Spain, and upon those of South America. I desired him to write to the Duke de Richelieu and state to him that we hope France will be soon prepared to move with us in the formal acknowledgment of the Government of Buenos Ayres; that we have given the same notice to Great Britain; that we have patiently waited without interfering in the policy of the allies on the subject, and as they have not agreed upon anything, and the fact of the independence of Buenos Ayres appears established, we think it necessary that it should be recognized. He appeared to be startled, and not fully prepared to talk upon the subject, which he soon changed to his demand for a reduction of our duties on French wines.

14th. At the office I had a long conference with Mr. De Forrest, who came last May with an application to be recognized as Consul-General from the Provinces of South America, and who last week sent me two notes renewing the application. I now told him that the President considered it would be a formal recognition of the Government of Buenos Ayres to issue to him an "exequatur" as Consul-General; that the President thought the time had not yet arrived when that recognition ought to take place, having in view both their interests and our own; that this Government had been using, and now were using, their influence to produce a simultaneous acknowledgment of Buenos Ayres by other powers as well as by the United States; that there was reason to believe that influence had already produced effects favorable to Buenos Ayres, and to expect it would produce more; that when the proper time should come the acknowledgment would not be withheld.

He said he was not a negotiator, but a merchant, and his

commission was only that of a Consul; and asked if he should recommend to the Supreme Director to send out here a Minister with full powers.

I said, not at present, because the objection to his reception would probably still exist. When that would cease I could not say; but when the time comes, notice of it would be given to Buenos Ayres. In answer to the reasons assigned by him for asking an "exequatur," I told him that would confer no privileges upon him in our Courts of justice, and that with regard to the prize vessel mentioned by him, measures would be taken upon representations made by our own officers. I added that it might be well for him to make known to his Government that if the United States should hereafter acknowledge them, it will be without involving themselves in any question as to the extent of their authority or territory; particularly they will not be considered as taking any part in their questions with the Portuguese, or Artigas, upon the Banda Oriental, or with Paraguay, Santa Fe, or any provinces contesting their authority; that we should also expect to know whether the independence that we were to acknowledge was complete or partial. When Mr. Worthington had, without any authority, undertaken to negotiate a treaty, the Supreme Director had refused to accede to an article placing the parties respectively on the footing of the most favored nation, upon the alleged principle that Spain having claims upon the country, they must reserve the right of granting special privileges to her as an equivalent for renouncing them. We should consider this as incompatible with total independence. It was essentially different from our own Declaration, in which Great Britain was thenceforward placed upon precisely the same footing as other nations—enemies in war; in peace, friends—a principle assumed as explicitly in the Treaty of 1778 with France, by which our independence was acknowledged.

He said he knew nothing of this negotiation of Mr. Worthington's; that if there had been any reservation of a right to grant special privileges to Spain, it must have arisen only from a distrust of their own strength a year or two ago, no longer now existing. He did, indeed, know that there had been a

determination to grant special privileges to the nation which should first acknowledge their independence.

I told him we should ask none such for ourselves. We should not sell our acknowledgment at a price. And if any such exclusive favors should be granted to any other nation, we should consider them as evidence rather of dependence transferred than of independence. I could not say that we should refuse to acknowledge a Government with such qualified dependence, but we should certainly not regard it as independence entire.

He asked me if I would give a written answer to his notes and suggest these ideas in it.

I promised a written answer, but told him it would be in general terms, as the particular ideas that I had mentioned having arisen from incidents in which Mr. Worthington had transcended his powers, it might be inconvenient to refer to them in written documents, though very proper that they should be fully understood at Buenos Ayres.

He then asked me if there would be any impropriety in his appearing at the President's drawing-room; to which I answered that I was not aware of any, but would speak of it to the President, and let him know. It was near six o'clock when I came home. After dinner we went to the ball given by Mr. Hyde de Neuville, the French Minister, on the occasion of the evacuation of France by the allied armies. Every part of the house was crowded, and there must have been upwards of three hundred persons present. We stayed till after supper, and it was past midnight when we came home.

15th. Mrs. Adams had been to visit Mrs. Monroe and Mrs. Hay upon affairs of etiquette in visiting, which, it appears, are affairs of high importance here.

16th. As I was going to the President's I met Mr. John Graham, who wished to have it ascertained as soon as possible whether he is to go as Minister to Rio de Janeiro. I mentioned this to the President, who directed me to see Mr. Forsyth and propose to him the mission to Spain, and then said he would send in the two nominations together. The President said that last winter, when the appointment to Russia was to be

made, Mr. Forsyth had been desirous of obtaining it, and that although Mr. Campbell was then nominated, yet he (the President) had then expressed himself in terms generally so favorable to Forsyth's pretensions, that he considered it in some sort as a promise.

Now, this I should not notice if the President had not pressed me repeatedly to name to him some person for this mission, and at last expressly told me that he had not thought of any particular person; upon which I named Mr. Middleton; upon which he immediately said, "or Mr. Forsyth." Whence two observations arise: 1. That there is much machinery at work respecting the appointments under the Department of State, of which I am not informed; and 2. That the President was inclined to know whom I should recommend, to the extent of leading me on by the assurance that he had thought of no person, when his choice was in fact as much fixed as it now is. Something of the same kind has happened on more than one occasion before. A great mass of documents was sent in to both Houses of Congress yesterday, and there was a call for more—that is, for my letter to Mr. Erving containing the reply to Pizarro's note of 29th August.

17th. Mr. Hopkinson called this morning, and I had a conversation of two hours with him upon the subject of the state of our affairs with Spain, the Seminole War, and General Jackson's proceedings in Florida. With all these concerns, political, personal, and electioneering intrigues are intermingling themselves with increasing heat and violence. This Government is, indeed, assuming daily more and more a character of cabal, and preparation, not for the next Presidential election, but for the one after—that is, working and counterworking, with many of the worst features of elective monarchies. Jackson has made himself a multitude of friends, and still more enemies. The course pursued by the Administration has satisfied neither party, but neither can find much to attack in it. Hopkinson is ardent against Jackson, and no admirer of the Administration, but is in profession, and to a certain extent in reality, personally friendly to me. Hopkinson moved the call for my late letter to Erving. He told me he was very much satisfied with his conversation this

morning with me; but I wait to see what he will say in the House when my letter comes out.

At the President's I met Mr. Crawford, who was reading to him a violent attack upon himself in a letter from Nashville, published in the Aurora of the day before yesterday. Jackson's friends now appear to suppose Crawford has been his enemy in the Administration. He has been less so in appearance than Wirt or Calhoun. Crawford had this morning the Journals of the old Congress of 22d October, 1782, containing a declaratory resolution that the commanding General of a separate army has, by virtue of his office, the right of exercising retaliation.

18th. I had sent, according to the President's direction, to request Mr. Forsyth to call at the office. He came, and I proposed to him the mission to Spain, which he accepted immediately. He asked how it would be expected he should go. I told him the President intended to send him by a frigate. He asked when it would be desired that he should be ready. I told him so as to arrive there early in spring. He enquired how far the frigate would be at his disposal with regard to the ports of departure and arrival. He also asked what arrangement would be made respecting a Secretary of Legation—whether Mr. Brent was to remain at Madrid in that capacity, or a new one to be appointed. I said I supposed the frigate's point of departure must depend upon the port where one was to be found that could be employed for the service; that her port of arrival might be Cadiz or Lisbon, at his option; and that Mr. Brent would probably remain at Madrid, the commissions of Secretaries of Legation being entirely distinct from those of the Ministers, and Mr. Brent having manifested no intention to resign. He said he should be well satisfied that Mr. Brent should remain, as he doubtless understood the French and Spanish languages. He also said he should be glad to have about forty days, to go to Georgia before his departure.

19th. I called at McLeod's, and returned visits to Messrs. Cruger, Jonathan Mason, Quarles, Alexander Smith, and General Stevens, of New York. There was published two days ago, in the Washington City Gazette, a card, anonymous, to

the heads of Departments, reproaching them for not returning visits. I have been in this respect so remiss that I believe the card was meant principally for me. I sent yesterday and requested the Spanish Minister, Onis, to call at my office at two this day, and he came. It was to agree with him upon the exchange of the ratifications of the Convention of 1802. I had had a certificate drawn up, to be signed and sealed by us both, like that executed by Mr. Monroe and Mr. Baker on exchanging the ratifications of the Convention with Great Britain of 3d July, 1815. But it began simply, "we certify," and was signed only by the two names. Onis did not like it. He had also drawn up a form which he said was taken from that used for the Treaty of 1795. Its only material difference from mine was in the display of his own titles, about half a page. I immediately agreed to adopt his form, and we are to meet next Monday and make the exchange. He proposed to bring with him Mr. Stoughton, who is attached to his Legation, to assist us in comparing the copies; to which I agreed.

21st. Mr. Onis came at two o'clock with Mr. Stoughton, and we exchanged the ratifications of the Convention of 11th August, 1802. Stoughton read from the original copy of the Convention, first the Spanish and then the English side, while I held the ratified copy from Spain, and Mr. Onis our ratified copy, which I delivered to him. We signed and sealed in triplicates, English and Spanish, the certificates of exchange, two copies of each of which Mr. Onis took with my consent, and one copy of each was retained at the Department. The Convention is in Spanish and English, side by side, and there is a singular omission of several words in the English side of the third article, which shows that there was carelessness at the time of its execution. There was no less inadvertence this day, for, unobserved by us all, Mr. Onis took away our ratified copy with the blank unfilled for the date, and without its being countersigned by me. After they were gone, I bethought myself of it, and sent for Mr. Stoughton, who brought it back, and the defects were remedied.

22d. I had appointed this day at two o'clock to see Mr. Pedersen, the Danish Minister, who accordingly came. He

began with the case of the brig Heinrick, which is rather worse in prospect than I found it when I first came into Congress, fifteen years ago. It then passed the House of Representatives almost unanimously, but was stopped in the Senate by the revival of old claims for prizes taken during our Revolutionary War, carried into Bergen, in Norway, and there delivered up to the British. I told Mr. Pedersen that we had now such a mass of recent claims which the Danish Government would not listen to, that not only there would be no chance for the owners of the brig Heinrick in Congress, but the very presentation of the claim would give rise to debates very unpleasant and very unprofitable.

He said he should acquiesce in this opinion, and not press his claim further at this time. He then spoke of the project of negotiating a treaty of commerce between the United States and Denmark; said Mr. De Rosenkrantz had assured him that full powers to that effect would be sent to him, if there should be a desire on the part of the United States for such a treaty. Denmark would be willing to abolish all discriminating duties, adopting the principle of our Convention of 3d July, 1815, now renewed; but it could be of little or no advantage to her unless the equalization of duties should extend to all merchandise, not only of the produce or manufacture of Denmark, but also to that of all the Baltic. There was also a difference between the duties paid at the passage of the Sound upon vessels of nations which have treaties with Denmark, and upon others; and if the United States should expect the reduction of the Sound duties in consequence of the treaty, it would be reasonable that they should grant some equivalent to Denmark for the advantage. As to their Colonies, their ports in the East Indies were open to all nations. In the West Indies, St. Thomas was a free port, and Santa Cruz was open only to the United States, besides Denmark.

I told him that the dispositions of this Government towards Denmark were entirely friendly, and we should very readily conclude with her a commercial treaty, if she should desire it, upon the same principles as those of our Convention with Great Britain. But, if we did make a treaty, we should of course

expect the same advantages in respect to the Sound duties as other nations enjoyed by treaty, and, as we might agree to extend the equalization of duties to merchandise usually first exported from the ports of Denmark, that of itself would operate so much in favor of Denmark that it would be an equivalent for the reduction of the Sound duties. I added that, although we were willing to negotiate, I thought it would be best not to attempt it formally unless we could first agree upon the principles to be adopted.

I dined with Mrs. Adams at Mr. Calhoun's. Mr. and Mrs. Bagot were there, and all the British Legation; Mr. Sasse and Mr. S. H. Smith. The weather has so much moderated that almost all the snow which had fallen has disappeared. I committed two indiscretions in conversation: one in joking at Mr. Jefferson's taste in wine before S. H. Smith, and the other in arguing against the English Universities with Mr. Bagot.

24th. Fourth anniversary of the signature of the Treaty of Ghent—a day that ought never to pass without recollections of my gratitude to Divine Providence for that great blessing to my country and myself—a blessing great in itself, greater in its consequences, and which affords me a continual source of pleasure in the remembrance. I met Mr. Calhoun at the President's. Mrs. Monroe continues extremely ill. The copies of my letters to G. W. Erving, with the documents, were this day sent to the President's to be sent to Congress, in answer to separate calls from each House. But they had both adjourned over Christmas, and until next Monday, before they were received. The President desired me to read over again all the papers in the case of the claim of bounty for captured slaves, in which his opinion is in favor of the allowance, and mine against it.

25th. The Seminole War and General Jackson's proceedings in Florida are subjects upon which there is much agitation, misapprehension, and conflict of opinion in the public mind; and in Congress parties are rallying round the questions involved in these transactions, and connecting themselves with the views of individuals upon the next Presidency. There is a considerable party disposed to bring forward Jackson as a

candidate, and the services of his late campaign would have given them great strength if he had not counteracted his own interest by several of his actions in it. But he wrote an inconsiderate letter to the Governor of Georgia, and by that and other imprudences turned the whole of that State against him. He had all Kentucky against him, upon something of a similar cause, before. He has also turned against him all the Governors of the States and the high sticklers for State rights. All Virginia is against him, for this and other causes. Crawford's partisans in Congress are endeavoring to turn the whole affair to his account, first by running down Jackson, and then by implicating the President and the rest of the Administration, except Crawford, in Jackson's faults. But, as this does not suit the views of the Clintonians, they appear disposed to rally in support of Jackson, and even of the Administration, on this occasion. Mr. Tallmadge told me he had thought of bringing forward a series of specific, terse, discreet, and firm resolutions, declaring the approbation by Congress of the principal contested measures of Jackson, and of the course pursued by the Administration. He said he was sure of the support of Mr. King in the Senate, of Sergeant in the House, and of twenty-two or twenty-three votes, out of the twenty-seven, of the New York delegation. His only doubt was, whether he should immediately offer these resolutions, or wait for the attack from the other side, and then offer them as a substitute for any resolutions of censure that may be proposed. He said he would further consult with me upon the subject before he would move.

28th. I received the Convention with Great Britain, signed on the 20th of October last, by A. Gallatin and R. Rush, with copies of all the documents of the negotiation, which I immediately took over to the President. I read to him the Convention and the letter from Messrs. Gallatin and Rush, of 20th October, giving a general account of the negotiation. The protocols of the conferences, and other documents, which are voluminous, I took home with me, and am to send them to-morrow morning to the President.

Mr. Hyde de Neuville came after dinner, and requested to have some private conversation with me. He was apparently

under great agitation, laboring with something which he meant to communicate to me, and yet afraid of expressing to me all his feelings. There was an incoherent jumble of a multitude of objects, national and individual, working at once upon his passions, and producing a perfect chaos of confusion in his mind. The main object of his coming, professedly, was to enquire whether the remarks that I made to him on the 12th of this month, concerning the recognition of the independence of Buenos Ayres, were intended to consult the opinion of the French Government, or merely to give notice of the intentions of the United States.

I told him it was partly both: it was to inform France of our opinions as to the proper course to be pursued, and to offer to France the opportunity of moving in concert with us—an offer which we had at the same time made to Great Britain.

He then talked incoherently and obscurely about his own personal situation and that of his party in France, the *Ultras;* said they had been lately "un peu battus," but would recover their ascendency; that he had no respect or attachment to the present French Administration, except the Duke de Richelieu, who was a "galant homme," but who would not continue six months longer in office. Mr. L'Ainé, he said, the Minister of the Interior, had commenced a correspondence with him and paid him high compliments, but he had enemies in the King's Council (he named Mr. De Caze), who misrepresented his conduct and endeavored to ruin him with his party. He was even informed by his private letters that his dispatches had been all shown to Pozzo di Borgo, the Russian Minister at Paris, and to the Spanish Minister; and he asked me if I had any such information. But, without waiting for an answer, he proceeded to say that he himself had written his own secret instructions when he came to America; that the King called him the Don Quixote of America; that here he had been in relation with all the proscribed refugees, and had obtained permission for many of them to return to France; that Lefèvre-Desnouettes had been with him in his Cabinet a very few days since; that he hated and detested the English, and they were hated in France more than ever. But he wished to enquire if, within three or

four months, the Spanish Government should agree to conclude a treaty with us upon our own terms, whether the Government of the United States would give a pledge not to precipitate measures concerning South America. Not that France would have any objection if we should acknowledge Buenos Ayres, but France did not wish that England should have all the advantage of taking the first steps in that affair. The commercial despotism of England must be opposed not by war—there was no necessity of making war—but by a steady and concerted pacific opposition. But if we would not join France in it, France would undertake it alone; and, now that she was unshackled, she was quite competent to it. The King of France was under obligations to the English Prince Regent, who was a "brave et loyal chevalier," but France was under no obligations to the English, and he would much prefer that his King should return and live at Hartwell, rather than that the Bourbons should pass for the creatures and tools of England.

I told him that the Government of the United States could give no such pledge as that which he desired. The two objects could not thus be connected together. Events were placing the affairs of South America quite out of our control, and it was probable that even now the patriots were in possession of the whole coast of terra firma and had driven Morillo out of the country. But as to South America, if Spain had taken the pains to adjust her differences with us, there would probably be much less ardor in this country against Spain, and consequently less in favor of the South Americans. Spain might have trusted to the operation of those effects. Now it might be too late. I could answer for nothing.

He complained of the English influence existing here, even upon members of Congress, especially the federalists, and said that had been the cause of the failure of the Beaumarchais claim, which, he said, France would pay if we did not eventually pay it here. His discourse was altogether rambling and discontinuous, showing feelings deeply agitated, and a mind scarcely in possession of itself. He said he did not care for his place, and had many times offered his resignation. But he is evidently under great apprehension of losing it, and even of

being disgraced by his own Government. He was here at least two hours, talking all the time ardently, passionately, and with much affectation of confidence and mystery, without communicating, after all, one intelligible or one rational idea. Tom's a-cold.

29th. At the President's I met Mr. Crawford. The President, in sending the Convention to the Senate with a message, proposed to present to their consideration a question whether the appointment of Plenipotentiaries during their recess, and consequently without their sanction, was of such a nature as required any declaration or reservation of their rights by them. I told him I thought there was no question, and that if they thought there was, it was for them to make it, and not for the Executive to suggest it to them. He accordingly said nothing about it. But I think some of the Senators have been whispering to him, and that he expects some question will be made about it in the Senate.

30th. Mr. Selma Hale, a member of Congress from New Hampshire, called at the office, with a letter from Governor Plumer, requesting three copies of the fifth volume of the last edition of the Laws. Mr. Hale spoke also of General Jackson's campaign in Florida, and of my two letters to G. W. Erving, which are published in the National Intelligencer of this day. Jackson's conduct is now arraigned with extreme virulence in every quarter of the Union, and, as I am his official defender against Spain and England, I shall from the time of this publication come in for my share of the censure so lavishly bestowed upon him.

*Day.* During the cold weather I run almost insensibly into the practice of keeping later evening hours, which is followed, of course, by later rising in the morning. In the evening my room is warm and comfortable for writing; in the cold mornings it takes two or three hours before the fire warms it to a suitable temperature. This month, therefore, I have risen mostly after daylight, and have retired to bed between eleven and twelve. I have likewise been several times in company abroad, which absorbs every time an evening and a part of the next morning. The distribution of the day continues regular,

but the month has been far less effective to industrious occupation than the last. My friends earnestly urge me to mingle more in society and to make myself more extensively known. But I am scarcely ever satisfied with myself after going into company, and always have the impression that my time at home is more usefully spent.

The year is closed. Its most remarkable event, as a portion of the annals of my life, has been one of the severest afflictions to which human existence is liable—the decease of my mother. The silver cord is broken, the tenderest of natural ties is dissolved. Life is no longer to me what it was; my home is no longer the abode of my mother. While she lived, whenever I returned to the paternal roof I felt as if the joys and charms of childhood returned to make me happy. All was kindness and affection, at once silent and active as the movement of the orbs of heaven. One of the links that connected me with former ages is no more. May a merciful Providence spare for many future years my only remaining parent! With the exception of this distressing bereavement, the year has been crowned with blessings, for which I am grateful to the Author of all good. My own health has been preserved, that of my partner and children as good as could generally be expected. My public duties have been discharged faithfully, and as well as the infirmities of my nature have admitted. My country has prospered with the smiles of Heaven. May they be continued! May the wisdom that is from above inspire my thoughts, and the guidance of a Gracious Spirit direct my steps! and may the future allotment of Providence, whether prosperous or adverse, find me with a heart and mind prepared for either fortune—to meet adversity with fortitude, or success with temperance, moderation, and gratitude to God!

---

With the beginning of the year 1819 also commences the sixth volume of the diary. Prefixed to it, on the fly-leaf, is the following paraphrase of five lines taken from the well-known golden verses attributed to Pythagoras:

Μηδ' ὕπνον μαλακοῖσιν ἐπ' ὄμμασι προσδέξασθαι
Πρὶν τῶν ἡμερινῶν ἔργων τρὶς ἕκαστον ἐπελθεῖν.
Πῇ παρέβην; τί δ ἔρεξα; τί μοι δέον οὐκ ἐτελέσθη;
Ἀρξάμενος δ' ἀπο πρώτου ἐπέξιθι. καὶ μετέπειτα,
Δειλὰ μεν ἐκπρήξας, ἐπιπλήσσεο, χρηστὰ δὲ τέρπου.

Let not thine eyelids close at parting day
Till, with thyself communing, thou shalt say,
What deed of good or evil have I done
Since the last radiance of the morning sun?
In strict review the day before thee pass,
And see thyself in truth's unerring glass.
If, scorning self-delusion's fraudful ways,
Her solemn voice reproving Conscience raise,
With keen contrition, aid Divine implore
Each error to redeem, and wrong no more.
Or, should that faithful guardian witness bear
That all thy actions have been just and fair,
Rejoice, and Heaven invoke with soul sincere
In spotless Virtue's path to persevere.

WASHINGTON, *January* 1st, 1819. *Friday.*—Began the year by commencing the draft of a dispatch to R. Rush, London, and then finished the fifth volume of this diary, and the journal of the year that has just expired, by entering the transactions of yesterday. Went with Mrs. Adams to pay the New Year's visit at the President's. One of our horses was vicious, so that it was with difficulty we got there. The President's house was also more crowded than I ever saw it on a similar occasion. Mr. Daschkoff, the Russian Minister, paid me likewise a visit this morning. It is the first time he has been at Washington since I have been in office at the Department of State. I had never before seen him.

2d. I finished my draft of a dispatch to R. Rush, and took it to the President. It was to instruct Rush to inform Lord Castlereagh that the President intended before long to recognize the Government of Buenos Ayres as independent. The President had expressly directed me to say as much in a note to De Forrest, and I thought it would be safest, when holding out this expectation to him, to give full notice of our intention to the British Government. When I read my draft to the President, he thought it best to consult the Cabinet upon it,

and asked me to give notice to the members to call at his house at two o'clock. Mr. Macon had been with him when I first went. Judge Bland came while I was there, and Mr. Roberts went in as I came out. I gave notice to Mr. Calhoun, and sent it to Mr. Crawford and Mr. Wirt.

Mr. Pedersen, the Danish Minister, came to my office to have some further conversation upon the project of a treaty of commerce between the United States and Denmark. I repeated to him what I had said in our former conversation: in substance, that we were willing to equalize all duties of tonnage, or upon merchandise, with Denmark, as we had done with England, and even to extend it with Denmark to all the productions of the Baltic countries, for an equivalent, which might be the reduction of the duties paid at the passage of the Sound. We should certainly expect to be placed in that respect upon a footing equally advantageous with that which other nations having treaties with Denmark enjoyed. He asked me again for a copy of the new edition of the Laws, and for a set of Wait's state papers; but I had none to distribute at discretion. Such public documents were given to each of the foreign Ministers residing here; but of late this custom has been laid aside. I returned after two, with Mr. Calhoun, to the President's. Crawford and Wirt were already there. My draft of a dispatch to R. Rush was read. They were all startled at the paragraph announcing it as the President's *intention* at no remote period to recognize the Government of Buenos Ayres. Yet he had expressly directed me to say as much to De Forrest. Mr. Wirt enquired whether it would not be a departure without cause from the course hitherto pursued—an inconsistency with the refusal to recognize Buenos Ayres last winter, and with the President's message, even at the commencement of the present session of Congress.

Mr. Crawford answered that the reasons given for deferring the acknowledgment last winter were, that Commissioners had been sent to obtain information. That reason now no longer existed. The Commissioners had returned home, and the information they had collected was in our possession.

I added that I had always considered and declared the ques-

tion of acknowledging the South American Governments as a question of time; that, besides the return of our Commissioners, other great changes had occurred in that question since last year. The time itself that had elapsed had given additional proof of the stability of the Government of Buenos Ayres. The victory of Maipu had strongly confirmed their capacity to maintain their independence. Even since the President's message of this session it had become ascertained by public notoriety that the European allies would take no part in favor of Spain and against the Colonies.

Mr. Calhoun said the views of Great Britain had also been more distinctly ascertained and more clearly pronounced since last winter. But he thought it would be safer to press Great Britain to go along with us in the recognition than to give her notice that we will grant it without her. If we take the step in concert with her, it will be perfectly safe. If we take it against her will, it will be in her power to embarrass us exceedingly with the consequences, by stimulating Spain to war with us for it, or by embroiling us with other European powers through it. The trade to the Havanna alone was now almost the only resource we had for procuring specie, and if it should be cut off it would greatly increase the embarrassments of our circulating medium.

The President himself, on the first reading of my draft, had thought the intention of recognizing Buenos Ayres was too strongly expressed, and proposed to me to say, "it is contemplated, unless any material change of events should occur," instead of declaring it as a positive intention.

Mr. Crawford now said that if the acknowledgment was to take place, he should prefer making it in another form, not by granting an "exequatur" to a Consul, but by sending a Minister there; because the Senate must then act upon the nomination, which would give their sanction to the measure. Mr. Wirt added that the House of Representatives must also concur by assenting to an Act of appropriation. And the President, laughing, said that, as those bodies had the power of impeachment over us, it would be quite convenient to have them thus pledged beforehand.

I said my impressions were altogether different. I would make the acknowledgment as simple and unostentatious as possible, with as little change in the actual state of things as could be. I thought it not consistent with our national dignity to be the first in sending a Minister to a new power. It had not been done by any European power to ourselves. If an exchange of Ministers was to take place, the first should come from them. As to impeachment, I was willing to take my share of risk of it for this measure whenever the Executive should deem it proper. And, instead of admitting the Senate or House of Representatives to any share in the act of recognition, I would expressly avoid that form of doing it which would require the concurrence of those bodies. It was, I had no doubt, by our Constitution, an act of the Executive authority. General Washington had exercised it in recognizing the French Republic by the reception of Mr. Genest. Mr. Madison had exercised it by declining several years to receive, and by finally receiving, Mr. Onis; and in this instance I thought the Executive ought carefully to preserve entire the authority given him by the Constitution, and not weaken it by setting the precedent of making either House of Congress a party to an act which it was his exclusive right and duty to perform.

Crawford said he did not think there was anything in the objection to sending a Minister on the score of national dignity, and that there was a difference between the recognition of a change of Government in a nation already acknowledged as sovereign, and the recognition of a new nation itself. He did not, however, deny, but admitted, that the recognition was strictly within the powers of the Executive alone, and I did not press the discussion further. It may perhaps be resumed hereafter.

Crawford asked whether De Forrest, the man appointed as Consul-General from Buenos Ayres, was not a citizen of the United States. He is. But, as we now receive our own citizens as Consuls from other Governments, no objection can be made against receiving him on that account. But he has made his fortune by privateering under the Buenos Ayres flag, and is now here giving out commissions to privateers, although we

have no direct proof of the fact. However, it was generally agreed that no determination should be taken as to receiving him, and that my draft should be altered so as to avoid the assertion of a fixed intention to recognize the Government of Buenos Ayres.

Mr. Calhoun expressed the most earnestness to avoid acting unless in concert with England.

I observed that I thought this deference to the British Government should not be carried too far; that we should not have the appearance of pinning ourselves too closely upon her sleeve; that we should carefully preserve the advantage of taking the lead in advancing to the recognition of the South American Governments, and, while using persuasion with England to move in concert with us, take care to let her know that we shall ultimately act independently for ourselves.

Calhoun admitted the correctness of all this in principle, but urged that the real importance of the concurrence of Great Britain to this measure was so great that we ought to act with the greatest circumspection to obtain it.

Passing from this subject, the President put the question whether it would be proper for the Executive to suggest to Congress the expediency of passing an act authorizing him on certain contingencies to hold possession of Pensacola and St. Mark's, or any other part of Spanish Florida. I was desirous that such an act should pass, and that it should extend to the power of taking and holding all the province, in the event of any further failure on the part of Spain to fulfil her engagement of restraining by force the Indians within her territory from hostilities against the United States, formal notice having been given her that such would be the result. I thought it necessary that an act of Congress authorizing the Executive to carry it into effect should show that it was not a mere "brutum fulmen," or empty menace. But Mr. Crawford and Mr. Calhoun both declared against asking for such an authority. Crawford thought it would give the nation the appearance of acting with bad faith, and lose the credit that we had obtained by the measure of restoring the places taken by General Jackson. Calhoun thought there was no necessity

for the measure sufficiently urgent for asking of Congress the power; that to suppose Spain would be unable or unwilling to fulfil the engagement of her treaty would be insulting to her; that Congress ought to pass laws only upon existing facts, and not upon speculative anticipations; that there would probably be no more Seminole hostilities, and if there should be, it would then be time enough for Congress to give the power.

Mr. Wirt said if it were "res integra," perhaps it might be insulting to Spain to expect that she would not fulfil her treaty. But it had happened, to our great injury, and it was no wrong to Spain to apprehend that it might happen again; and he cited the Act of 1811 as a proof that Congress did legislate upon speculation as well as upon fact. He asked if all prospect was hopeless of obtaining Florida by an arrangement with Spain. I said, certainly, unless such a law should pass. That might bring Spain to it. Nothing else would. No determination on this point was taken, the President reserving it for future consideration.

3d. As the snow held up about two o'clock, I went out to take an hour's walk. In the Pennsylvania Avenue, nearly opposite my office, Mr. Hyde de Neuville, the French Minister, met me in his carriage, stopped, and told me he wished to have some conversation with me. I came home, therefore, with him in his carriage, and he came in and conversed with me upwards of an hour. He told me that Mr. Onis had received yesterday fresh instructions from his Government; that the new Prime Minister, the Marquis of Casa Yrujo, was very peacefully disposed—much more so than his predecessor, Mr. Pizarro; that he had been well satisfied with his (Mr. Hyde de Neuville's) interference last summer; that he had got over what had hitherto been insurmountable, and was willing that the boundary line with the United States should extend to the South Sea. But there were two points upon which he hoped we should not be inflexible. One was the boundary west of the Mississippi, and the other related to South America. He urged both with extreme earnestness; that we would yield something of the western line we had proposed, which went within four or five leagues of Santa Fe; that we would take the line of latitude

forty-three instead of forty-one; that we would take an upper chain of mountains, instead of Snow Mountains, and that we would leave Spain the immense plains of sand, east of the line we had proposed, that she might have a barrier for Santa Fe. Then as to South America, would we give him a guarantee that, if Spain should come to terms with us, we would force nothing in South America by premature recognitions?

I told him that we could give no guarantee whatever in relation to South America. That we could not admit the principle of any connection between the question of recognition and our own controversies with Spain. We could not make our conduct in respect to one of these objects conditional upon the result of the other. That we had communicated both to him and to Mr. Bagot our views in relation to South America. That if the French Government should suggest to us just and reasonable motives for postponing further a recognition of the South American revolutionary Governments, all due consideration would be given to their advice, and if it was accompanied with a satisfactory adjustment of our differences with Spain, it would have great additional weight. This was all I could say, and that no guarantee, verbal or written, express or implied, could be given. As to the western boundary, we had offered a line as our ultimatum, and we had offered to sign a treaty upon other points, leaving that unsettled. It was a question of one hundred and forty years' standing, upon which we had only succeeded to the claims of France. We had made great sacrifices to settle it, but if Spain had come to the determination of agreeing to begin the line at the Sabine, on the Gulf of Mexico, and to carry it to the South Sea, we would not consent to discuss with her questions about inches of ground; and if Mr. Onis was not prepared to agree to our ultimatum, I hoped he would entreat him not to write me a word more about it, for I could not express the disgust with which I was forced to carry on a correspondence with him upon subjects which it was ascertained that we could not adjust.

All this was gone over five or six times, for De Neuville never takes one, two, or three repulses for a defeat, but returns to the charge "usque ad fastidium." He left me, as usual,

without coming to any conclusion, but told me that Onis would very soon make me some further proposals under his new instructions, and urged most earnestly that we should defer the acknowledgment of any of the South American Governments. He had before told me that De Forrest had paid him a visit, and Mrs. De Forrest had visited Madame de Neuville; he did not know why. They must be sensible that neither he nor Madame de Neuville could return their visits. I told him there was no occasion for it. De Forrest was a citizen of the United States, and as such had been received at the President's. But he was not recognized as Consul from Buenos Ayres, and I myself had not returned his visit.

In the evening Mr. Holmes,[1] Chairman of the Committee of Foreign Relations, called here, and I gave him copies of my two letters to R. Rush on the subject of the execution of Arbuthnot and Ambrister, for the use of the Committee, but not for communication to Congress. He promised to return them as soon as the Committee should have no further occasion for them. He asked me whether I knew what Mr. Hopkinson intended to do upon this subject, for *he did not know where to have him.* Hopkinson is a member of the Committee, and there is much reason for Holmes's remark. From Hopkinson's conversation with me, I should expect he would support the views of the Executive on this occasion; but, from the experience of last winter, I place no reliance upon him. He will come out with views of his own, very independent, but by no means harmonizing with ours.[2] Holmes told me what he intended in substance to propose to the Committee to report—a general review of the transactions of the Seminole War, an approbation of the course pursued by the Executive, and a bill authorizing him to take possession of Florida.

[1] John Holmes, a member of the House of Representatives from the District of Maine from 1817 to 1820, and made a Senator when Maine was separated from Massachusetts and admitted as an independent State. He served in that body from 1820 to 1833.

[2] Joseph Hopkinson, a lawyer of distinguished ability in the House of Representatives from 1815 to 1819, representing Philadelphia, afterwards made a Judge of the District Court of the United States for Pennsylvania, which post he retained until his decease, in 1842.

4th. At the office, Mr. Bradley, Agent to the Commission under the fifth and sixth articles of the Treaty of Ghent, came and gave me some account of the proceedings of the Commissioners. He is so deaf that it is scarcely possible to hold a conversation with him. He is to come again with maps and plans to-morrow. We had company to dinner—Mr. and Mrs. Cruger, Messrs. Edwards, Mellen, and Williams, of Mississippi, Senators; Butler, of Louisiana, Hugh Nelson, and Wilson, of Massachusetts, members of the House of Representatives; Mr. Pedersen, Admiral Tate, and Captain Bernard. There were excuses from Mr. and Mrs. R. King, Mr. and Mrs. Gracie, Mr. and Mrs. Bland, Mr. and Mrs. Schuyler, Mr. and Mrs. Tallmadge, and Messrs. Ogden, Spencer, and Thomas, of Illinois. Our company was thus much reduced. They left us between nine and ten in the evening.

5th. Omitted calling this morning at the President's. Left a card at O'Neal's for the Russian Minister, Mr. Daschkoff. Mr. Bradley came again, and showed me his maps, and gave me a further account of the proceedings of the Commission. In drawing the line of boundary of the forty-fifth degree of latitude, it has been found by the astronomical observations to strike Lake Champlain nearly a mile south of the old established line, by which an important fort at Rouse's Point, which Bradley says is the key to all New England, falls within the British line. Hassler, our astronomer, has a project for counteracting this untoward incident, by claiming that a correction to the observations should be made by an allowance for the ellipticity of the earth, which allowance, being precisely the greatest possible at the forty-fifth degree (being null both at the equator and the pole), would, as Hassler says, give us an advantage of ten or eleven miles. But Mr. Bowditch, to whom Bradley wrote for his opinion upon the question, answered that it would make no perceptible difference: all the observations of latitude usual among geographers and astronomers are made upon the spherical projection, and without allowance for ellipticity. I went this evening with Mrs. Adams to a dancing-party at the Spanish Minister's, on the invitation of Madame de Heredia, his daughter. None of the English Legation there,

news having been yesterday received that the Queen of England died on the seventeenth of November. The party was numerous—about two hundred persons. I spoke to Mr. Clay about a man named McBean, at Lexington, Kentucky, and gave him a letter from a relation of his of the name at Baltimore, written to me, probably by mistake for Mr. Clay. He said he would write me a note about it to-morrow morning. I gave Mr. Daschkoff a letter for Mr. Eliesen, received yesterday from England. I had conversation with several members of Congress. Some of them gave me notice that a formidable and concerted attack upon my letter to Erving is to be brought forward in the House of Representatives next week. Clay has already commenced his attack upon it in convivial companies out-of-doors. Last winter Clay's principal attack was levelled against the President himself, but, finding that this only injured himself, he has this winter confined his hostilities to me. My letter to Erving[1] has been so well received in Congress and by the public that it has redoubled his rancor against me, and among all the knots of intriguers in Congress, by the partisans of half a dozen candidates for the next Presidency (including General Jackson), there is one common object of decrying me. There is not in either House of Congress an individual member who would open his lips to defend me or move a finger to defeat any combination to injure me; and, as I am not there to defend myself, Clay has a free swing to assault me, which he does, both in his public speeches and by secret machinations, without scruple or delicacy. It was hinted to me that he was now using C. F. Mercer for his purposes; but of this I have doubts. But all public business in Congress now connects itself with intrigues, and there is great danger that the whole Government will degenerate into a struggle of cabals.

6th. At the President's. He directed me to notify the members of the Administration to meet at his house at noon to-morrow, to take up again the Florida question. The President said it had been heretofore customary for the Committee of

[1] This is the well-known official letter of the 28th of November, 1818, which proved an effective defence of the course taken by General Jackson in Florida against the complaints of the Spanish and British Governments.

Foreign Relations to act in concert with the Executive, and to show their reports before making them. He thought they ought to do so now. This evening I went with Mrs. Adams to the drawing-room at the President's. I mentioned to S. Smith the reason why I had postponed answering his two notes of this morning. I gave to Mr. Hyde de Neuville, the French Minister, the Boston Daily Advertiser of 31st December, containing a comparative view of the charges of navigation and commerce upon French and American shipping in the intercourse between the two countries, showing it to be greatly to our disadvantage, and I asked him to favor me with any remarks which he might think proper to make upon it. De Forrest told me that C. F. Mercer had broken out in the House to-day against my letter to Erving, and Mr. Clay against appropriations for military roads and against a late report of Calhoun's.

7th. Attended the Cabinet meeting at the President's. Mr. Thompson, the new Secretary of the Navy, was there, and the meeting fully attended. The President proposed again for consideration the question whether it would be proper to submit to Congress the expediency of their passing an act authorizing the Executive to hold possession of Pensacola if Spain should not send any person authorized to receive it, and also, under certain contingencies, to take possession of Spanish Florida. The subject was discussed with much earnestness till near five o'clock.

Mr. Holmes, the Chairman of the Committee of Foreign Relations, proposed to report a general review of the Seminole War, and to close with presenting a bill authorizing the Executive to hold the places taken in Spanish Florida until Spain shall resume possession of them, conformably to the terms prescribed in my letters to Onis and Erving, and to take possession again in case of the future failure of Spain to restrain the hostilities of her Indians, and, if taken again, to hold subject to the adjustment of all our differences with Spain by negotiation.

Mr. Crawford and Mr. Calhoun were averse to proposing any measure to be adopted by Congress at present. In prefer-

ence to it, Crawford proposed that notice should be immediately given to Onis, the Spanish Minister, that if within a given time possession of Pensacola should not be resumed, orders would be given to the American garrison to withdraw and abandon it. Mr. Calhoun thought that with such notice to the Spanish Minister a message might be sent to Congress informing them of it, and leaving any further legislative measure to their discretion.

In the course of the discussion, Crawford betrayed his inveteracy against General Jackson more than he had ever done before, and even let out, as a justification for the very extraordinary proposal of abandoning Pensacola even if not re-demanded by Spain, that it would show to the world that it had been taken *contrary to orders*. That Crawford has been all along deeply inveterate against Jackson, as is asserted in a letter from Nashville lately published in the Aurora, I have not seen adequate proof. But since the publication of that letter, it is impossible to avoid perceiving that he is so. It happens, unfortunately, that Crawford's interest and stimulus of personal ambition, prematurely roused by his having been started as a candidate for the Presidency against Mr. Monroe at the late election, now pushes him not only to contribute in running down Jackson as a formidable rival, but even to counteract, as much as is in his power, the general success of the Administration, and particularly that of the Department of State. He occasionally interferes with the proper business of the Department, and not to the advantage of the public business. De Neuville, the French Minister, often insinuates to me that Crawford expresses to him sentiments upon subjects of diplomatic discussion different from those maintained by me. To specify: he intimates that Crawford countenances the claim of France to special commercial privileges in Louisiana, and that he encourages, indirectly, Onis in insisting upon a boundary west of the Mississippi more favorable to Spain than that which I have offered. The first of these suggestions I have no doubt is true, for Crawford has repeatedly said something of the same kind to me. But that he should spur Onis to hold out upon the western boundary can arise from no other

source than the fear that an arrangement of our differences with Spain which should be satisfactory to this nation would redound to the credit of a Department other than his own.

Oh, the windings of the human heart! Possibly Crawford is not himself conscious of his real motives for this conduct. But in this day's discussion it was abundantly apparent that his object is to disgrace Jackson, and that he is now confident of success. Calhoun so far coincides with him that, although there was this day no decision, it is clear to me that the President will not ask for any new power from Congress, and consequently that we shall do nothing with Spain. Mr. Wirt entered little into the debate, but rather manifested the wish that an act of Congress should pass. Mr. Thompson, the Secretary of the Navy, did the same, and made several very judicious observations. The President inclined the same way. But the apprehension of the temper shown in Congress and in the public at the proceedings of Jackson in Florida will prevent anything from being done.

9th. Morning visitors in succession at my house. Mr. Upham,[1] a member of Congress from New Hampshire. Upham came to recommend a newspaper in his district for printing the laws; but it was too late, the appointments for the present session having been already made. He also said that all his fellow-lodgers at Hyatt's were violent against General Jackson in the discussion of his conduct, now so warmly carried on both in and out of Congress. He complained that he found himself alone in defending him, and that he found it a heavy task. He asked me some questions about Jackson's authority to set aside the sentence of the Court-martial in the case of Ambrister.

I told him that I thought the second sentence of the Court a nullity; that a judicial Court, after having passed their sentence, are not competent to reverse it by a reconsideration.

Mr. Bradley came to ask the use of the books of argument of counsel on the Commission under the fourth article of the Treaty of Ghent, and to make some further observations on the effect of the earth's ellipticity upon the determination of

[1] Nathaniel Upham served in the House for three Congresses, 1817 to 1823.

the forty-fifth degree of latitude. He thinks Mr. Bowditch did not exactly understand the question put to him.

11th. Mr. Bagot called, and informed me that he had received the Convention signed on the 20th of October, ratified by the Prince Regent, and would be ready to exchange the ratifications whenever I should be so. We had then much conversation upon the affairs of Spain and South America, in which I repeated the substance of the instructions lately sent to R. Rush, and to which he assented, without, however, expressing any opinion that would have committed his own Government upon the question.

The French Minister had asked an interview this day, for which three o'clock was appointed, and he then came. It was to tell me that he had received dispatches and private letters from Mr. Hauterive, who, while the Duke de Richelieu was absent at Aix-la-Chapelle, had charge of the Department of Foreign Affairs at Paris. There were also copies of dispatches from the Duke de Laval, the French Ambassador at Madrid, relating to the state of our negotiations with Spain, which stated that after a resumption of the negotiation there it was again suspended by the insufficiency of Erving's powers. This is another Spanish contrivance to waste time without coming to a conclusion. De Neuville, however, insisted that Onis would now very shortly receive enlarged powers, which will enable us to strike a bargain. He read me passages from the dispatches and letters, which manifested much earnestness to dissuade our recognition of the South American Governments. But the principal subject of the letters was the affairs of France, the Congress of Aix-la-Chapelle, and the visit of the Emperor of Russia at Paris, where he arrived at noon, and which he left the same night; upon which Mr. Hauterive is in raptures at his "délicatesse."

I received a note from Onis, stating that he had received dispatches from his Government authorizing him to extend the line of the western boundary to the South Sea. But De Neuville said these were not yet the enlarged instructions to which he had referred. But there is nothing further to be done at present.

12th. I received a note asking me to attend a Cabinet meeting at the President's at noon. I found all the other heads of Department there. The President submitted two questions for their consideration. One was upon a report from the Secretary of War, Calhoun, prepared in obedience to a resolution of the House of Representatives, passed at the last session of Congress, for the application of the means within the power of Congress for making roads and canals for military purposes. Mr. Calhoun read the report. The President's question was, whether it could be made to the House consistently with his declaration in the message at the commencement of the last session, that, in his opinion, Congress had not the power by the Constitution to make laws and to incur expense for purposes of internal improvement. The President expressed an opinion that the call of the House directly upon the Secretary of War for this report was itself irregular, and not conformable to the spirit of the Constitution of the United States, the principle of which was a single Executive. The laws constituting the Departments were also founded upon the same principle, with the exception of the Treasury Department, the law to establish which was drawn up by A. Hamilton, who was himself to be the Secretary, and whose object was to establish a direct intercourse between the members of the legislature and himself for his own purposes. The practice of calling directly from either House of Congress upon the other heads of Departments for reports was irregular, and had grown up within these few years. And as the heads of Departments were executive officers under the President, it was to be considered whether the President himself was not responsible for the substance of their reports.

I thought there would be an obvious incongruity and indecency that a head of Department should make a report to either House of Congress which the President should disapprove, but observed that the practice of direct calls from either House of Congress upon all the heads of Departments for reports was not of recent origin, having existed ever since the establishment of the Government—of which I gave Mr. Jefferson's report upon weights and measures, and General Knox's

report upon a militia system, as instances. It was said that the Senate were very scrupulous about direct calls, but I remarked that I had now a report upon weights and measures to make upon such a call from the Senate, passed on the 3d of March, 1817. In this case the difficulty is that the Secretary of War, Mr. Calhoun, is of opinion that Congress have, by the Constitution, the power of appropriating money for internal improvements, and of making roads and canals for that purpose. He was an ardent supporter of this doctrine in Congress, and in his report had introduced strong expressions of the *duty* of Congress to apply all the means in their power to the object. The majority of both Houses of Congress are of the same opinion. The President in his message at the commencement of the last session of Congress declared his opinion to the contrary; and the real object of this call upon Calhoun was to embarrass the President and excite division in his councils. Mr. Calhoun, however, at the close of his report, had expressly stated that he did not enter into the question of the constitutional right, and he readily agreed to omit the passages in which there were intimations of a duty in Congress to make internal improvements.

14th. Mr. Holmes, Chairman of the Committee of Foreign Relations, called upon me this morning and enquired if he could see some of the documents annexed to my letters to G. W. Erving. They are now printing, by order of the House of Representatives, but will not be ready by next Monday, the day fixed for the debate upon the report of the Military Committee and the counter-report of the minority of that Committee. The report is against Jackson, and concludes with a resolution disapproving the proceedings on the trial, and the execution of Arbuthnot and Ambrister. The counter-report justifies the proceedings of Jackson, as far as they are justifiable, and concludes that he and his troops are entitled to the thanks of the country. The Committee were divided, four and three.[1] I showed Mr. Holmes several of the documents, and he will call at the office to see others of them.

15th. Mr. Onis, the Spanish Minister, came by appointment

[1] Benton's Abridgment, vol. vi. pp. 225, 226.

at two, and I had further conversation with him upon the new instructions received by him from his Government. He says he is authorized to agree to a line from the Missouri to the mouth of the Columbia River, on the South Sea; that it was, at his earnest solicitation, agreed to in the Spanish Cabinet. He had written that it was essential to the completion of a great plan formed here of internal communication from the Atlantic to the Pacific Ocean, and that there was no prospect of our agreeing to any arrangement without it. He insisted much upon the infinite pains he had taken to prevail upon his Government to come to terms of accommodation with us, but the King's Council was composed of such ignorant and stupid *nigauds*, Grandees of Spain, and priests, that I could have no conception of their obstinacy and imbecility. For this reason he had always inflexibly refused to be a member of the Council. He spoke much of a publication in the Washington City Gazette of the 9th and 11th of this month, purporting to be a history of the negotiation for the purchase of Louisiana, referring to many unpublished letters and secret documents and transactions of the time, and aiming to show that neither the eastern nor the western boundary now claimed by us under the cession entered into the thoughts of our negotiators then, that all our pretensions are after-thoughts, and particularly that Mr. Monroe has held at different times on the subject language irreconcilable with itself.

These pieces were mentioned at the President's last Tuesday, and Crawford said he thought they were written by Armstrong. I then observed that my only reason to question it was that they were in a contemptuous tone with respect to his brother-in-law, Livingston. Crawford said that was no objection, and told a story of Armstrong's having, upon some occasion, published a bitter and virulent attack upon Livingston (anonymous). It was so violent that there was a family council held to settle what was to be done upon it, and to ascertain who was the author. At this meeting Armstrong attended, told the family that the author of the offensive piece must be Jay; that the true policy was not to defend the Chancellor, but to attack Jay himself in return. He offered himself for that service, and

actually performed it by a furious attack upon Mr. Jay as the author of the piece which he (Armstrong) had himself written. Armstrong is at irreconcilable enmity with the President, and I have no doubt that the publication of these pieces at this time and place is expressly intended to answer the purpose of injuring the personal character of the President, and of interposing an obstacle to the conclusion of the present negotiation with Spain, the ultimate aim of this second *object* being the same as the first. Onis is excessively delighted at these publications, and hinted that they overthrew all our pretensions both to the eastern and western boundary of Louisiana. They do not, however, really affect the question at all. The utmost that they can show, so far as they are supported by facts, is, that our Plenipotentiaries took the article in which the boundaries were designated, as copied from the treaty by which Spain had made the cession to France; and that was a designation not geographical, but political and possessory—as actually possessed by Spain at the cession, as *formerly* (without reference to date) possessed by France, and as subsequently modified by treaties with other powers. I have no doubt that the article was drawn with the express intention on the part of France to take possession of the whole original Colony of Louisiana, as granted in Crozat's charter. Whether Spain meant the same thing, or understood the article as importing so much, may be questioned. But both parties knew that if a question of construction upon the article should arise between them, the effective construction would be that of France. It appears even from these publications in the City Gazette that Marbois, the man who concluded the treaty with our Plenipotentiaries, had once said that Mobile was part of Louisiana; and at the time when the Louisiana Convention was ratified by the Senate, in 1803, Jonathan Dayton stated in his place that Laussat had told him at New Orleans that when the troops then expected out from France (and which were actually embarked at Helvoetsluys, under Bernadotte, to go to Louisiana, when the war broke out between France and England and prevented their sailing) should arrive, they would take possession to the Perdido, without asking any questions of Spain. But when France had sold

her bargain to us, and wanted to sell it to us a second time, she changed her tone—first equivocated and evaded, and finally declared herself point-blank against us upon the eastern limit, and more feebly and ambiguously upon the western.

I told Onis that we could not agree to the proposal of drawing the line from the Missouri to Columbia River, but that if he would send me a written note his propositions would be considered. I said this because he himself seemed reluctant at writing unless we were ready to accept his offer. I therefore thought it best to make him write. I also told him we were about sending a vessel to the Havanna to apply for the release of a number of American prisoners confined there, including W. D. Robinson, and that I should ask him for a letter to the Governor-General of the Havanna to promote the object of the demand; that some of these prisoners claimed the benefit of the King's *Indulto*, and others were in circumstances precisely similar to British subjects who had been delivered upon demand by the commanders of British ships of war.

He said, if that was the case, the Americans ought undoubtedly to be given up also; but Robinson was a very bad man, and had been guilty of extreme misconduct in Caraccas. He would very readily give the letter which I should ask for the Governor-General, but I was aware the Spanish Government had publicly determined that all foreigners serving with her rebel subjects should be treated like the rebels themselves.

While I was at the President's this morning there came a committee of two members from the House of Representatives, with a resolution, passed yesterday, calling upon the President for information whether any application has been made from any of the independent Governments of South America for any person to be accredited as Minister or Consul-General, and what answer has been returned. I suppose the object is to worry the President, and especially the Secretary of State, with the great South American witchery.

17th. Colonel R. M. Johnson was with me two or three hours, and we conversed freely upon the report and counter-report of the Military Committee on the proceedings of General Jackson in the late Seminole War. Johnson justifies almost everything

done by the General, but his friend Mr. Clay takes the other side of the question.

18th. Colonel R. M. Johnson had started several questions relative to certain passages in the report of the Military Committee, which concludes with a resolution to disapprove of the proceedings on the trial, and the execution of the two British subjects, Arbuthnot and Ambrister. I answered him upon some of the questions as well as I was able at the moment. This morning I made a translation of some passages from Martens on the law of nations, and examined the law establishing the rules and regulations for the government of the armies of the United States, both of which have much bearing on the subject. I wrote a note requesting Colonel Johnson to call at my house as he should be going to the Capitol. He came, and was with me till near three. I gave him the translation of extracts from Martens, and referred him to the fifty-sixth and fifty-seventh articles of war, and to the Complot d'Arnold of Marbois for an account of the proceedings in the case of André. We also looked up and examined the series of acts of Congress authorizing the President to employ the armed force of the United States for repelling Indian invasions. At the office I passed scarcely an hour. I found the English translation of Martens and the Annual Register of 1780, containing the account of Arnold's conspiracy and of the execution of André, and that of the hanging without ceremony of two emissaries from New York who attempted to gain over a corps of American troops in New Jersey who were in a state of mutiny. But the troops made their terms at home, and then delivered up the emissaries. I brought home the books, and sent them this evening to Colonel Johnson.

There was a highly panegyrical article upon me in the National Register of the day before yesterday, I know not by whom written; and the same day the Librarian of Congress, Watterston, sent me a volume of letters from Washington, just published by him, in which he has depicted also a character of me among others. The rest had been published in the National Register last winter; mine had then been omitted. He now has me at full length, and quite as favorably as I deserve.

19th. At the President's. A resolution from the House of Representatives was brought to him last Friday while I was with him, calling for information whether any application had been made by any of the independent Governments of South America to have a Minister or Consul-General accredited, and what answer had been returned. The resolution had been moved, and was brought, by Mr. Johnson, of Virginia, who, the President told me, was an honest but weak and harsh-tempered man, apt to bluster for the sake of showing his independence of the Executive, and just suited to be put forward by others behind the scene.[1] This call will bring forward the cases of Lino de Clemente and of De Forrest. I am collecting the papers, and must prepare a report to the President upon it. This day there was another call concerning the state of Amelia Island, St. Mark's, and Pensacola. The President sent it to me; but all the information required by it must come from the Departments of the Treasury and of War. I took it home with me.

20th. I began the draft of a report on the call from the House of Representatives for information about the South American applications for reception as Minister or Consul-General. I at first intended to have made a very short report, but the papers which must be communicated require a commentary. In this affair everything is insidious and factious. The call is made for the purpose of baiting the Administration, and especially of fastening upon the Secretary of State the odium of refusing to receive South American Ministers and Consuls-General. I am walking on a rope, with a precipice on each side of me, and without human aid beyond myself upon which to rely. The papers to be disclosed on this call will probably lead to another. The policy pursued by the Administration in South American affairs is, in the general opinion of the public, fixed exclusively upon the Secretary of State, and, as the popular sentiment is much divided upon it, no effort is omitted to render it obnoxious. De Forrest's notes are cunning and deceptive. To the last and longest of them I have

[1] James Johnson served in the House of Representatives from 1813 to 1820, when he was appointed Collector of the port of Norfolk, in Virginia.

not replied. It must be sent in under the call, and, if unaccompanied by a refutation of its contents, advantage will be taken of it to censure the course of the Executive, and perhaps even to force a recognition of the Southern independents. I must, therefore, demolish the arguments in De Forrest's last note, which is indeed not a difficult task, but which must take time and many words. The call for information concerning Pensacola, St. Mark's, and Amelia Island I took to the President, and remarked to him that it was from the Departments of the Treasury and of War that all the information required by the resolution must be obtained. He concurred in the opinion, and by his direction I took the resolution to Mr. Calhoun, requesting him to have a copy of it taken, and then to send it to the Secretary of the Treasury, that the information requested may be furnished by both the Departments.

Young Bloomfield was at the office to solicit an early report upon his papers. These individual claims form the most troublesome and most embarrassing portion of the business of my office. To examine them thoroughly often demands an examination of documents as voluminous and complicated as any affair of the highest national concern. I promised Bloomfield to attend to his business as soon as possible. Mr. Clay made his speech this day on the report of the Military Committee and the proceedings of the Seminole War. It was against General Jackson, but professedly not against the Administration. It was very much admired, and Hopkinson told me it was one of the ablest speeches ever delivered in the House.

22d. I finished the draft of a report to the President on South American Diplomatics. De Forrest came to the office, and told me that he should leave the city in a few days for New York. I then mentioned to him, as he asked me whether I had received his last note, that I had, but that it was not thought necessary that the discussion should be pursued any further with him. He said he had not expected any answer to his last note. I said there had been a call from the House of Representatives, in compliance with which all my correspondence with him would be communicated, together with a report from me to the

President, containing some remarks in reply to the argument in his note. I reminded him of his having told me, when he first came last May to apply for his "exequatur," that he was a native citizen of the United States, and that he had now definitively returned to this country, without intending ever to go back to Buenos Ayres. I noticed it now, because in his notes he spoke of himself as a citizen of Buenos Ayres, and of that as *his Government*, while under his circumstances I thought the laws of the United States would recognize him as one of their citizens, entitled to the rights and bound by the obligations of that character, and if he should be recognized as Consul-General from Buenos Ayres he would not be acknowledged as a citizen of that country.

He seemed to be somewhat alarmed, and said that when he had informed me that he had no intention of returning to Buenos Ayres, but had come finally to settle here, he had not expected the information would ever be used against him, and asked whether he would by law be considered as a citizen of the United States while he was at Buenos Ayres.

I replied that it was unnecessary for me to give an opinion upon that point. He had better consult a lawyer upon it. I did not mean to assert that he would; neither was it my intention to make any use to his disadvantage of anything that he had said to me. Although the information he had given me was voluntary, under no injunction of secrecy or intimation of confidence, I had never mentioned it to any other person than the President, and should never notice it publicly unless it should be necessary in the discharge of my public duties. But it was in candor due to him to let him know that the recognition of him as Consul-General of Buenos Ayres, should it hereafter be granted, would in no wise divest him of his character as a citizen of the United States.

He said that for the last seventeen years he had resided principally at Buenos Ayres, and had become a citizen of that country. In their revolutionary struggle with Spain he had taken a very decided and active part—particularly in the business of privateering. He had now returned to this country with the view of remaining here, and was building a house at

New Haven. But if Spanish subjects could molest him here for what he did while an inhabitant of Buenos Ayres, his situation would be very perilous. With regard to the call from the House of Representatives, it was made without his privity or even his knowledge. He had told various persons that he had made application to be acknowledged as Consul-General from Buenos Ayres, and had been refused, but without any intention or idea that the subject would be stirred in Congress. When the call for this information was made, he had enquired whether it was brought forward by one of the members who had been last winter in favor of the acknowledgment of South American independence, and had been informed that it was. When he came to this country he brought with him a letter of introduction from Mr. Graham to Mr. Clay, which he had delivered. He had some conversation with Mr. Clay, who told him he was sorry to find by the report of Mr. Bland, and from other sources, that there was not so much public virtue among the South Americans as he had given them credit for. De Forrest added that since his arrival in this country he had become perfectly convinced that the proceedings of Mr. Clay and his supporters in Congress last winter had injured instead of aiding the cause of the South Americans, and he was entirely satisfied with the friendly disposition of the Executive of the United States towards them.

I dined at Mr. Pleasanton's with a mixed company. Mr. Barbour, a Senator from Virginia, with his wife and daughter, were there. He is a man of affected pomposity of speech, handsome of person, full of prejudices and dogmatism, and of commonplace exaggeration of Republicanism. Through some remark of Colonel Tayloe's I became entangled with him in a conversation, in which he maintained that an American Minister at European Courts ought to present himself in a plain frock-coat, with metal buttons (he was thinking of the one he had on), and demand admission, and, if they would not let him in, go away, renounce all his attendance at Court, and transact all his business in writing. He made a speech about it, as if he was in the Senate; but luckily his carriage was called and I had not the opportunity to reply to him, for I should have put him

in anger to no purpose, and have made him at once ridiculous and implacable.[1]

23d. As I was going to the President's, General Jackson and his suite were going out. The President called him and Colonel Butler back, and introduced them to me. The General had arrived this morning from his residence at Nashville, Tennessee, and had already called at my office. Among the rumors which have been circulated by the cabal now intriguing in Congress against Jackson, it has been very industriously whispered that Mr. Jefferson and Mr. Madison had declared themselves in very strong terms against him. I had mentioned this report a few days since to the President, who told me that he was convinced there was no foundation for it. This morning he showed me in confidence a letter which he had just received from Mr. Jefferson. It not only expresses full satisfaction with the course pursued by the Administration, but mentions my letters of 12th March last to Onis, and of 28th November to Erving, in terms which it would not become me to repeat. He advises that they, with others of my letters to Onis, should be translated into French and communicated to every Government in Europe, as a thorough vindication of the conduct and policy of this Government. He also suggests a question, whether Onis's letters, in which he gives the President the title of his Excellency, ought not to be returned to him as insulting the President by a title beneath his dignity.

The President told me that some of these attacks upon the Administration, through General Jackson, had been ascribed to Judge Roane, but that he had utterly disavowed them. He said that Ritchie, the editor of the Richmond Enquirer, was a vain and presumptuous man, affecting to have great influence, and inconsiderately committing himself upon important political subjects without waiting to understand them thoroughly, and thus getting into perplexities without knowing afterwards how to get out of them.

[1] James Barbour, in course of time, was appointed Secretary of War in Mr. Adams's Administration, and Minister to Great Britain in 1828, where he is not recorded as having made any of the difficulties here declared to have been a part of his duty.

Mr. Hyde de Neuville came to ask if I could furnish him a copy of Pizarro's note to Erving of 29th August. He also enquired if General Jackson had the power to appoint a Court-martial.

I showed him the Act of Congress establishing the Articles of War.

He repeated to me what he had already said the other evening at Mr. Middleton's, that he was perfectly satisfied General Jackson's proceedings had been right, particularly in the execution of the two Englishmen, and he had already so written, and should so write again, to his Government. He said there was as great a division of opinion upon this subject in the Corps Diplomatique as in Congress, but he for his part had no doubt that such incendiaries and instigators of savage barbarity ought to be put to death.

25th. Successive visits at my house from Mr. Holmes, Chairman of the Committee of Foreign Relations, Robertson, member of the House from Kentucky, De Onis, the Spanish, and Daschkoff, the Russian Minister.

Holmes came to make an extract from Niles's Register of a passage that he had quoted in his speech on the Seminole War.

Robertson[1] brought a letter from Mr. John Pope to Mrs. Adams, and had some conversation with me upon the local politics of Kentucky. That State is divided between two parties, with Clay the head of one of them, and Pope of the other. Clay, by the superiority of his talents, by a more artful management of popular feelings, and by the chances of good fortune, notwithstanding the more correct moral character of his antagonist, has acquired a great ascendency over him, and not only keeps him depressed in public estimation, but uses every possible means of the most rancorous and malignant enmity to ruin him. Robertson thought some time since that Clay intended to offer himself at the next election of Governor of the State as a candidate, and it is well understood that his object is

[1] George Robertson represented Kentucky in the House of Representatives for three Congresses, and ultimately became the Chief Justice of the Court of Appeals in that State. Resigning that post in 1843, he continued a professor of law in Transylvania University for many years.

to organize and embody a systematic opposition of the whole Western country against the present Administration, the operation of which is to take effect at the end of Mr. Monroe's eight years. Robertson and Trimble were until now desirous of supporting Colonel R. M. Johnson against Clay. But Robertson now says that Clay will not be a candidate—that he and his party will support Johnson; and Pope proposes that Mr. McKee, a brother-in-law of Robertson's, should be supported as the candidate in opposition to Johnson. Robertson spoke handsomely of Johnson, as an honorable and independent man, but said that he had lately lost the election as Senator of the United States by the choice of a Mr. Logan, a constant and ardent supporter of Mr. Monroe's Administration, and who had particularly sided with it in respect to South American affairs. That election was a test of the strength of parties in the Kentucky Legislature, and if McKee should be a candidate it was probable he would be elected in opposition to Johnson. They were friends, and McKee was very unwilling to stand against Johnson, knowing that it would be an election warmly contested. It was apprehended that Johnson had been irritated by the loss of his election as Senator, and if he should be carried as Governor by the other party, even though with the concurrence of the others, he might retain resentments against them and become a promoter of opposite views. Robertson read me a part of a letter from McKee, in which these ideas were disclosed, and he was desirous to have some communication with the Administration here, and ascertain whether, if he should be elected as Governor, he might rely that recommendations from him and his friends, of persons for official appointments by the President, would meet with equal favor, supposing the candidate equally well qualified as those recommended by their adversaries. This letter also fully set forth Mr. Clay's project of combining the whole Western country for the election at the close of Mr Monroe's second term, and asserted positively that a coalition for that purpose was formed and completed last year.

I told Robertson that, without having any authority to speak for the President in this case, I was confident he would take no part in the interior politics of Kentucky. I knew he had a

high regard and esteem for Colonel Johnson, of whom I had heard him speak always in respectful terms. He also knew Mr. McKee, who was several years a member of the House of Representatives. But he would avoid from principle all interference in the election of Governor in any of the States. He would no doubt be gratified by the election of a person who would harmonize with the general Administration, and, with regard to recommendations for offices, would undoubtedly give equal weight to those from his friends as to others. I added that I would report to the President the substance of this conversation, or withhold it, at his option.

He left it to my discretion. He said it was expected there would shortly be a vacancy in the office of District Attorney in Kentucky, and he wished the appointment might be given to Mr. Pope, to whom the office itself was no object, but who would value it as a mark of confidence in the Administration. I told him that I had every possible feeling of good will towards Mr. Pope, but, having made it a principle to avoid recommending to the President any of my family relations, if it was desirable that the name of Mr. Pope, who had married my wife's sister, should be presented to the President, either for the office of District Attorney or for a foreign mission, I should wish it might be through some other channel than me. I had in no instance recommended to the President a relation of mine for any office, and I found it necessary to adhere to the rule that I had prescribed to myself to avoid making any such recommendation.

Robertson approved of these sentiments, and said he had already been convinced that the President would avoid all interference in the local elections of Kentucky—a course which he perfectly approved.

Pope's letter to Mrs. Adams was more explicit electioneering than Robertson's. These overtures would afford opportunities and hold out temptations to intrigue, of which there is much in this Government, and without which the prospects of a public man are desperate. Caballing with members of Congress for future contingency has become so interwoven with the practical course of our Government, and so inevitably flows

from the practice of caucussing by the members to fix on candidates for President and Vice-President, that to decline it is to pass upon myself a sentence of total exclusion. Be it so! Whatever talents I possess, that of intrigue is not among them. And instead of toiling for a future election, as Pope recommends, my only wisdom is to prepare myself for voluntary or for unwilling retirement.

Mr. Onis came to urge me to answer his last note, and to protest his extreme earnestness to conclude a treaty with me before the close of the present session of Congress. I told him that if he insisted upon it I would answer his note, but I was so wearied out with the discussion that it had become nauseous. I really could discuss no longer; I had given it up in despair.

He said that he did not wish for any further discussion, but wanted an answer. I told him the utmost that I could possibly do would be to renew for the western boundary the proposals I had last made to him. He protested he was not authorized to accept them, but he hoped I should modify them, and then glided into his usual argument in support of Spanish rights. I promised him, at all events, an answer.

Mr. Daschkoff came to tell me that he had at length received his letters of recredence. He meant of recall. This is a mistake so common that there is a confusion of ideas prevalent among three-fourths of the diplomatic characters whom I know. Letters of recall are received by a Minister from his own Government. Letters of recredence are from the Government to which he is accredited to his own, recommending him back to his own master.

Daschkoff told me that he expected the arrival of his successor, Mr. Poletica, very shortly, and proposed to withhold the delivery of his letters until Poletica could at the same time deliver his credentials, so that there might be no interval of time during which his sovereign would not be represented. He then protested that he rejoiced at the good understanding between the United States and the Emperor, and that, notwithstanding the unpleasant occurrences that had happened, he had always been the fast friend of this country, and entertained the

highest respect for all those who administered the Government. He should return home, and, whether in public or in private life hereafter, should to the utmost of his power promote sentiments favorable to this country there; and, as I had resided so long in Russia, and knew the friendly dispositions of the Emperor towards the United States, he hoped I should always feel an interest in cultivating them.

He spoke under so much embarrassment and apparent mortification, with awkwardness, hesitation, and confusion of face, that I felt compassion for him. No public Minister ever accredited to the United States has more grossly insulted the Government, or more wantonly attempted to kindle discord between his sovereign and them. It is by forbearance unexampled that he has been permitted so long to remain here. The result to himself is that he is recalled in disgrace, and now his object is to appease the President and obtain a gracious dismission.

I told him I should immediately report to the President the purport of his communication; that in the mean time I could assure him that every friendly sentiment of the Emperor towards the United States was most cordially reciprocated by this Government; that my own personal feelings were in perfect unison with them, and that, so far as it might be in my power, I should always be happy in promoting to the utmost the harmony between the two countries; that with regard to his delivering his letters of recall, he would take the time that would be most suitable to his own convenience. If Mr. Poletica should arrive before his own departure, it would be most convenient that his letters of recall and the credentials of his successor should be delivered at the same time. I avoided saying anything as to his former conduct and his quarrel with this Government.

Sent cards of invitation to General Jackson and his family to dine with us next Monday. He answered that he had determined to decline all personal attentions of this kind while his case was pending before Congress.[1]

[1] The original note sent by General Jackson was found inserted here. It is in the following words:

"Major-General Jackson presents his compliments to Mr. and Mrs. Adams, and

26th. At the President's this morning. He had sent to the Department the Convention with Great Britain concluded by Messrs. Gallatin and Rush on the 20th of October last, to the ratification of which the Senate have given their advice and consent. At the office I found Mr. Bagot, who had already been informed of this, and called to enquire when I should probably be ready to exchange the ratifications. I supposed in the course of the week. He said he should send a messenger next week, and should be glad to forward the ratified treaty by him. Mr. Bagot had received from England the form of a certificate of the exchange of ratifications, a copy of which he left with me.

I desired Mr. Brent to see Mr. Bagot, and to propose the alteration of "sealed with our seals" instead of "our arms," for, as there is no heraldry in the United States, seals-at-arms are an absurdity, used by a public officer of this country. I have used a seal-at-arms in Europe, as my father had done before me. But so far as there is any significancy in such seals, they are utterly inconsistent with our republican institutions. Arms are emblematical hereditary titles of honor, conferred by monarchs as badges of nobility or of gentility, and are incompatible with that equality which is the fundamental principle of our Government. I have, therefore, determined never more to use my seal-at-arms (which are not the Adams, but the Boylston arms) to any public instrument. I have substituted in their stead the seal of my own device—the constellation of Eagle and Lyra, with the motto from Manilius (described in diary for 7th September, 1816). I first used it for the exchange of ratifications of the Convention of 1802 with Mr. Onis.

The message with my letter of 28th November last to G. W. Erving, and the accompanying documents, are at length printed,

regrets that he and his family cannot accept of their polite invitation to dine; having determined to decline all personal attentions of this kind until the issue of the proceedings in his case now pending before Congress.

"January 25th, 1819."

Many years afterwards, a question of veracity was made by General Jackson touching the fact of this invitation having been received by him, as alleged by Mr. Adams. This incident illustrates the advantage to a public man of preserving even the most insignificant papers.

and a copy of them was brought to me. Mr. De Neuville told me he had received fresh instructions about the settlement of our affairs with Spain, and should call upon me at the office.

27th. The President told me there had been a very laborious effort, by correspondence between this place and Richmond, to set the Legislature of Virginia in motion, by resolutions against General Jackson and his proceedings in Florida, and the same operation was to extend to the Legislature of Kentucky. He believed, however, that it had failed.

28th. Mr. Bailey[1] called here, and had a long conversation with me upon the political affairs of the State of Massachusetts —the embarrassment of the Republican party in selecting a candidate for Governor. They talked of Dearborn, Crowninshield, Eustis, and Jonathan Russell. I told him my opinion was, the best thing they could do would be to vote for the present Governor, Brooks, and to choose a Republican majority in the Legislature. But they cannot stomach voting for Brooks. I drafted an answer to the last note from Mr. Onis.

29th. I took my draft of a note to the Spanish Minister, Onis, to the President's, where I found Mr. Crawford. The draft was approved with an alteration, and the letter was sent to him in the course of the day. It repeats the proposals made in my letter of 31st October, which were afterwards withdrawn, and requests Mr. Onis, if he has not power to accept either of them, to close the discussion, which must henceforth be useless. But the President directed me to see Mr. De Neuville and state to him that in consideration of the interest that his Government, and he personally, have taken in accomplishing an amicable arrangement of our affairs with Spain, I was authorized to say in confidence to him that we would agree to a modification of the western line proposed in my letter of 31st October, so as to avoid the difficulty objected against it, that it would pass within four or five leagues of Santa Fe. The offer is to take a line due north from the Pawnee bend of the Red River to

[1] John Bailey became a clerk in the State Department for some time, and whilst holding that place was elected to the House of Representatives from a district in Massachusetts. His eligibility was disputed, and the seat was vacated. But he was re-elected, and served from 1823 to 1831.

the Arkansas, and follow the course of that to its source, in latitude forty-one, and thence by that parallel to the South Sea; but on condition that the Spaniards are to form no settlement north of the chain of Snowy Mountains. I accordingly sent to Mr. De Neuville, requesting him to call at the office this day. He came at four o'clock, and I stated to him this new proposal in confidence. He promised to see Onis and, without letting him know that we are prepared for this arrangement, ascertain whether he is prepared to agree to it. And he will see me again to-morrow. He pleaded for more, and particularly that the engagement of Spain not to form settlements north of the Snowy Mountains might be limited, say to ten years, and that the line might stop at the source of the Arkansas, or be left to range, according to circumstances, between the forty-first and forty-third parallels of latitude, leaving it to be settled by Commissioners.

I told him that the people of this country were disgusted with Commissions to settle boundaries; that we have now two going on with the British Government, whose proceedings were so slow and expensive that they had given great dissatisfaction and excited prejudices against all such Commissions; that if we touched at all upon the western boundary, it would be the clear interest of both parties to settle it definitively; that nothing could so effectually secure that object in a wilderness, the geography of which is unknown, as a parallel of latitude; and the northern boundary had been thus settled more than a century, by the assumption of the forty-ninth degree of latitude at the Treaty of Utrecht.

30th. I received a note from the President, requesting me to attend at his house, and give notice to the other members of the Administration for a Cabinet meeting at one o'clock, to reconsider the offer confidentially made yesterday through the French Minister, Hyde de Neuville. The President, in calling the meeting this day, did not know that I had already made the overture to De Neuville. It was, however, unanimously approved, the four Secretaries and Attorney-General being present. On examining the map, however, it was discovered that I had made a mistake in the line yesterday proposed to be

taken from the Red River north to the Arkansas, and that instead of the Pawnee bend, as I had understood, which is in longitude between ninety-six and ninety-seven, it was the bend in longitude one hundred and one. This accident affected and mortified me exceedingly. That in a transaction of such importance I should have been so inconsiderate and have taken so slight an inspection of the map as to have committed the mistake, was inexcusable to myself. The error might have become, too, of extreme importance had it not been so soon discovered. It was the meeting called by the President that I must thank for it, and chance, by which I always understand a superintending Providence, has redeemed the fault of my own carelessness. On returning to the office, I sent immediately to De Neuville, requesting him to call at three o'clock.

In the mean time Mr. Bagot came with Mr. Antrobus and Mr. Hughes, and we exchanged the ratifications of the Convention of 20th October last. He agreed to substitute in the certificate of exchange the terms "sealed with our seals," instead of "our arms." I read their ratified copy, while he held ours, Mr. Brent holding at the same time one of the original copies of the Convention, and Mr. Antrobus the other. The four copies all agreed in the word Rameau, as applied to certain islands on the coast of Newfoundland. In our instructions, and in the protocols of the conferences, they were called Ramean Islands —on the maps they are marked as Ramea Islands. We had some hesitation whether in the copies of the Convention there had not been a mistake of an *n* for an *u*, but on looking into Thompson's Alcedo we found them called Ramaus Islands and marked as being opposite the Baie des Vieillards. On returning to the Cabotia map, we found Old Man's Bay directly opposite to them, so that we concluded to have them printed as in the copies—Ramean Islands. We executed four copies of the certificate, one of which I kept, and Mr. Bagot took the other three.

After we had finished, Mr. Bagot expressed his great satisfaction at the share that he had taken in accomplishing this good work, and said he should now avail himself of a leave of

absence which he had received last summer. He proposed to embark at New York in April, and would leave Mr. Antrobus here as Chargé d'Affaires. I asked him how long he should expect to be absent. He said there was no time limited: so that he has evidently no expectation of coming back. I told him we should be sorry to lose him, but, so far as his return to his own country would be convenient or advantageous to himself, we should cheerfully acquiesce in it.

When he left me, Mr. De Neuville immediately came in. I began by rectifying the mistake I had made yesterday, which was done without difficulty, for, according to our agreement, he said he had spoken with Onis, not as having been authorized by me, but simply as of himself, and as offering to use his influence to prevail upon us to yield more or less, and had not even suggested to him the idea of asking for the line from the Pawnee bend, but had spoken of a range between longitude one hundred and two and ninety-eight. So that this difficulty was entirely removed. He then said that Mr. Onis had ample powers, which he had seen; that he had prepared a note to me, which I should receive this evening or to-morrow; that it would contain some further concession on the part of Spain, but the laboring point would be the line to the South Sea. Onis would now propose the southern branch of Columbia River, so that the line may yet terminate at its mouth. I told him that Spain having yielded the point of admitting us to the South Sea, it was impossible that she should have any interest in chaffering for four or five degrees of wilderness, which never will or can be of any value to her. To us they may be hereafter important, because the boundary for us will be not only with Spain, but with her successors. This he admitted. He said he would see me again, after I shall have received Onis's note.

*February* 1st. Called upon the President, and had a conversation with him upon this renewal of negotiations with the Spanish Minister. There are various symptoms that if we do come to an arrangement there will be a large party in the country dissatisfied with our concessions from the Rio del Norte to the Sabine on the Gulf of Mexico. Clay has taken the alarm at hearing that Onis was again treating with us, and is already taking

ground to censure the treaty, if one should be made. He told me last week at Crawford's that he thought we were offering too much for Florida, and he enclosed me yesterday a letter to himself from a person at Lexington, Kentucky, and hinted at a different opinion from ours respecting the western boundary. I received a long and impertinent letter from Lexington, making many objections to the line which we have proposed; and I mentioned all this to the President for his consideration. He desired me to see and converse with General Jackson upon the subject, and to ask confidentially his opinion.

2d. I called on General Jackson, and mentioned in confidence to him the state of the negotiation with the Spanish Minister, and what we had offered him for the western boundary, and asked his opinion of it. He thought the friends of the Administration would be satisfied with it, but that their adversaries would censure it severely, and make occasion for opposition from it. He thought even that it would bring us again in collision with the Indians whom we are removing west of the Mississippi. But, as we had no map at hand, I could not give him a precise idea of the proposed line by mere description, and he promised to call at my house to-morrow morning at ten and look it over upon the map.

At the President's. I received from Mr. Onis a note yesterday proposing a line approaching considerably towards that which has been offered by us. I told the President of the letter signed "Franklin" which I have received, dated Lexington, Kentucky—of the preparation making, and sufficiently notified by Mr. Clay, to take ground against the western boundary offered by us to Spain, and what General Jackson had said to me. The President observed that while our differences with Spain should remain unadjusted, Mr. Clay would seize every incident arising from them to assail the Administration. If adjusted, he would use the adjustment itself for the same purpose. But the possession of the Floridas, with a clear and undisputed title, the acquisition of indemnity for the long-standing claims of our citizens upon Spain, and a recognized title extending to the South Sea, would be such advantages to this country, that he believed any opposition

founded upon our consent to take the Sabine for the western boundary would have little weight with the people.

At the office, Mr. Hyde de Neuville came at three; and I told him he could now see Mr. Onis and inform him of the extent to which we would go for the western boundary; that we cannot yield one inch further, and wish only to be informed whether he will agree to it or not; that if he does, in point of form the proposition may be made by us and accepted by him, or made by him and accepted by us, as would be most agreeable to himself. De Neuville hinged most upon the line to the South Sea, and said Onis was "très-récalcitrant" upon that point. But he promised to see him, and bring me his answer to-morrow.

3d. General Jackson came to my house this morning, and I showed him the boundary line which has been offered to the Spanish Minister, and that which we proposed to offer upon Melish's map. He said there were many individuals who would take exception to our receding so far from the boundary of the Rio del Norte, which we claim, as the Sabine, and the enemies of the Administration would certainly make a handle of it to assail them; but the possession of the Floridas was of so great importance to the southern frontier of the United States, and so essential even to their safety, that the vast majority of the nation would be satisfied with the western boundary as we propose, if we obtain the Floridas. He showed me on the map the operations of the British force during the late war, and remarked that while the mouths of the Florida rivers should be accessible to a foreign naval force there would be no security for the southern part of the United States.

He also entered into conversation upon the subject of discussion now pending in the House of Representatives on his proceedings in the late Seminole War, upon that which is preparing in the Senate under the auspices of Mr. Forsyth, of Georgia, and upon the general order given by Jackson in 1817, which was considered as setting at defiance the War Department. He imputed the whole to Mr. Crawford's resentments against him on account of his having at the last Presidential election supported Mr. Monroe against him; said there was not a single officer in the army known to have been at that time in favor of

Monroe whom Crawford had not since insulted; that Mr. Monroe was of an open, fair, unsuspecting character, amiable in the highest degree, and would not believe human nature capable of the baseness which Crawford, while holding a confidential office under him, was practising against him.

I told Jackson that Mr. Crawford had never in any of the discussions on the Seminole War said a word which led me to suppose he had any hostile feeling against him.

He replied that, however that might be, Crawford was now setting the whole delegation of Georgia against him, and by intentional insult and the grossest violation of all military principle had compelled him to issue the order of 1817. Crawford, he said, was a man restrained by no principle, and capable of any baseness. The first act that brought him into notice was a conspiracy between him as a lawyer, and Tait, the Senator from Georgia, taking clandestinely a false affidavit, charging a General George Clarke as a speculator in the Yazoo lands while a member of the Georgia Legislature. Clarke proved the falsehood of the charge, challenged Crawford and broke his arm, and wore out a cowhide on Tait's back. Crawford was now canvassing for the next Presidential election, and actually wrote a letter to Clay proposing a coalition with him to overthrow Mr. Monroe's Administration. Mr. Clay had declared in a public speech that he would not make any systematic opposition to this Administration, but he certainly had received such a letter from Crawford; for a person of high standing here at Washington had told him (Jackson), since he has been now here, that he had seen it. And whenever Crawford's name shall be brought forward as a candidate for the Presidency, the whole transaction should be unveiled to the public. It would not be worth while to disclose it now. As to Forsyth, what motive he could have for his present conduct, other than that of subserviency to Crawford, he could not imagine. But he carried his inveteracy to such lengths that he was to make it a new charge against Jackson that in the late campaign he had accepted the aid of mounted volunteers instead of militia; and yesterday his committee had sent for Captain Call, and examined him, to make out a charge that he

(Jackson) had speculated in a purchase of lands at Pensacola, which was utterly false. A man of his name (no relation of his, for he had not a relation in the world), an Irishman, had gone from Nashville and made some speculation in lands at Pensacola, but in which he himself had no interest or concern.

The bitterness with which Forsyth is pursuing this attack upon Jackson has become notorious, and the more extraordinary as Forsyth has already been notified that he will be nominated as Minister to Spain before the close of the session of Congress. That Crawford has written such a letter to Clay as Jackson has been informed, is to the last degree improbable. He has too much discretion to have put himself so much in Clay's power. But that all his conduct is governed by his views to the Presidency, as the immediate successor to Mr. Monroe, and that his hopes depend upon a result unfavorable to the success, or at least to the popularity of the Administration, is perfectly clear. The important and critical interests of the country are those the management of which belongs to the Department of State. Those incidental to the Treasury are in a state which would give an able financier an opportunity to display his talents; but Crawford has no talents as a financier. He is just, and barely, equal to the current routine of the business of his office. His talent is intrigue. And as it is in the foreign affairs that the success or failure of the Administration will be most conspicuous, and as their success would promote the reputation and influence, and their failure would lead to the disgrace, of the Secretary of State, Crawford's personal views centre in the ill success of the Administration in its foreign relations; and, perhaps unconscious of his own motives, he will always be impelled to throw obstacles in its way, and to bring upon the Department of State especially any feeling of public dissatisfaction that he can. I have felt this even in the negotiation of the late Convention with Great Britain, in the course of which he took ground of disapprobation, of which he certainly would have made a handle if the negotiation had terminated unsuccessfully, and of which I have no doubt he avails himself as it is, in his private conversations, to hint that the success might have been greater. I feel him continually in

the negotiation with Spain and in the transactions with Hyde de Neuville, and always in the way of increasing difficulties. Crawford is not a worse man than the usual herd of ambitious intriguers—perhaps not so bad as many of them. I do not think him entirely unprincipled; but his ambition swallows up his principle. His position is a bad one. Having been a caucus candidate for the Presidency against Mr. Monroe, he feels as if his very existence was staked upon his being his successor. And, although himself a member of the Administration, he perceives every day more clearly that his only prospect of success hereafter depends upon the failure of the Administration, by measures of which he must take care to make known his disapprobation. This forced and unnatural position is one of the numerous evils consequent upon the practice which has grown up under this Constitution, but contrary to its spirit, by which the members of Congress meet in caucus and determine, by a majority, upon the candidate for the Presidency to be supported by the whole meeting,—a practice which places the President in a state of undue subserviency to the members of the legislature, and which, connected with the other practice of re-electing only once the same President, leads to a thousand corrupt cabals between the members of Congress and the heads of the Departments, who are thus almost necessarily made rival pretenders to the succession.

The only possible chance for a head of Department to attain the Presidency is by ingratiating himself personally with the members of Congress; and, as many of them have objects of their own to obtain, the temptation is immense to corrupt coalitions, and tends to make all the public offices objects of bargain and sale. That there has been intercourse of this kind, more or less explicit, between Crawford and Clay, can scarcely be doubted. But a coalition between them would be liable to many difficulties. They are both native Virginians. Clay's ambition has been so pampered by success that he has evidently formed hopes of coming in as the immediate successor of Mr. Monroe. He refused both the War Department and the mission to England. Last winter he aimed at the unlimited control of the House of Representatives, and at the formation

of a Western party. His prospect of coalition then was with Governor Clinton, and it was positively, but I think erroneously, said to have been effected. It has this winter much more the appearance of being concluded with Crawford; but the Georgian attack upon Jackson has scarcely any support from the West, though an immense effort has been made to engage Virginia in the cause, and with partial success. Clay's opposition has hitherto been so unsuccessful that he sees, I believe, the necessity of contenting himself with a secondary station under the next Presidency, and this may bring him back to a coalition with Crawford or Clinton, as the chances may arise. His opposition to Jackson now is involuntary, and merely counteractive.

I received a note from Mr. Bagot asking an audience of the President, to present a letter from the British Prince Regent announcing the demise of the Queen. The President fixed one o'clock to-morrow for receiving him. The President also asked me this morning whether I thought there would be any impropriety in General Jackson's attending this evening at the drawing-room. I said, Surely not. He has declined receiving any public attentions while motions of censure upon his conduct are in discussion before Congress, but his attendance at the drawing-room is a mark of respect from him which the President, not having censured him, has no reason for declining. Jackson did attend the drawing-room, which was more crowded than any former one this winter; and from the earnestness with which the company pressed round him, the eagerness with which multitudes pushed to obtain personal introductions to him, and the eye of respect and gratitude which from every quarter beamed upon him, it had as much the appearance of being his drawing-room as the President's.

4th. Just before one o'clock I attended at the President's to present Mr. Bagot. The President had forgotten the appointment, but was ready in time. Mr. Bagot came punctually, and delivered the letter from the Prince Regent announcing the death of the Queen of England on the 17th of November. He also told the President of the leave of absence that he had obtained, and of his intention to embark about the beginning of

April in a frigate which he expected would come to Annapolis to take him.

After he was gone, I read the note, in English, which I received yesterday from the French Minister. This proposes that we should take for the western boundary with Spain the course of the Red River to the one hundredth degree of longitude from London, then a line north to the Arkansas, then to the source of that river, thence to the Multnomah, following its course to latitude forty-three, and on that parallel of latitude to the South Sea. The President was much inclined to accept this line; but I think it would not be acceptable to the nation, and that if Onis intends to conclude at all, we can obtain better.

I returned to the office, and Mr. De Neuville soon after came there. I discussed with him the substance of his note, told him how exceedingly anxious the President was to accomplish an arrangement with Spain, but that if we gave up the boundary on one side, Spain must give up on the other. After much conversation, we were unable to meet on the proposed line, but De Neuville intimated that he was persuaded Mr. Onis and I should agree. The misfortune is, that upon this, as well as other subjects, the other members of the Administration and members of Congress talk freely both with De Neuville and Onis, who gather from them a knowledge how far they may urge pretensions, and how far we shall be prevailed upon to concede.

5th. At ten this morning I attended a meeting of the Commissioners of the sinking fund, which was held in the office of the Secretary of the Senate. Vice-President Tompkins, the Secretary of the Treasury, Crawford, and Attorney-General Wirt, were present, but not the Chief Justice. Mr. Crawford had prepared the annual report to both Houses of Congress, which was read and signed. The meeting was over in half an hour. Tompkins told a story of a justice of the peace in the State of New York, who, for ten years together, was in the constant practice of swearing witnesses, and certifying that he had sworn them, that they were neither interested nor disinterested in the event of the suit upon which they testified—meaning that they were neither directly nor indirectly interested. Upon which Crawford told of a man in the State of

Georgia who had two sons, with whom he was dissatisfied, and, upon being told that a certain cause in Court was to be referred to two indifferent men, said it ought then to be referred to his two sons, for they were two of the d——dest indifferent men in the State.

After the meeting was over, I went into the Senate-chamber, and heard their debates for about an hour. They were upon certain private claims. I had some conversation with Mr. King upon General Jackson's case. King is on the Committee of which Forsyth is Chairman, and which it is apprehended will make a report unfavorable to Jackson. He says that Forsyth is the most inveterate and malignant against Jackson of any man he has seen. He is also well acquainted with all the caballing and electioneering passions and practices that are mingled up with this affair, and says if the subject does come before the Senate he will expose some of them.

From the Senate I went into the House of Representatives, where they were in committee of the whole, upon the resolutions for censuring Jackson's proceedings in Florida. General Harrison, of Ohio, was speaking, and soon concluded. He was followed by Mr. Baldwin, whom I heard for about an hour in favor of Jackson. I left him speaking. It was thus near three o'clock when I reached my office. I found there had been a note from the President, which the messenger had taken to my house. When he brought it back, it proved to contain a request that I would give notice to the other members of the Administration, and meet at his house this day at half-past one o'clock, to consider of the proposals in De Neuville's English note. It was four o'clock when I received this note, and of course too late for a meeting this day. I therefore called at the President's on my way home, and he directed me to notify the meeting for to-morrow at noon.

6th. Attended the Cabinet meeting at the President's. The French Minister's English note was read and discussed. The anxiety of the President to accomplish a settlement of our differences with Spain is so great that he strongly inclines to agree to this western boundary, and take the line of one hundred longitude from the Red to the Arkansas Rivers, and the

line of forty-three latitude to the South Sea. I had, however, drafted an article proposing the line between one hundred and one and one hundred and two of longitude, and that of forty-one to the South Sea, with a stipulation that Spain should make no settlements on the Red or Arkansas Rivers, nor have the navigation of them, which it was agreed I should offer, and then come as near to the proposals of De Neuville as may be found necessary.

On going to the office, I sent for De Neuville, who immediately came. I gave him a copy of the article that I had drafted, and had much discussion with him of it. He urged very strenuously that we should accept the lines as proposed in his English note, and said Onis never would consent to stipulate against making the settlements, or against Spain's having the navigation of the rivers. I finally told him that if Mr. Onis would accept the remainder of my drafted article we would give up the exclusions, and if he would accept the latitude forty-one, I would refer to the President and recommend the acceptance of the longitude one hundred.

A shocking incident occurred this day, which occasioned a general sensation of horror and disgust. Armistead Thomson Mason, late a Senator in Congress from Virginia, son of Stevens Thomson Mason, also formerly a Senator, was this morning, at Bladensburg, shot through the heart, in a duel fought with muskets at six paces' distance, by John McCarty, his cousin by blood, and nearly related to him by marriage. The muskets were loaded each with three balls, and McCarty escaped with life only because the balls struck the butt end of his musket, glanced off, and wounded him in the arm. The cause of the quarrel was political, and originated from McCarty's having voted against Mason at the last election of members of the House of Representatives in Congress for Loudoun County, Virginia.

This is one sample of the violence of political passions in this country. Mason was of course an ardent partisan, and, as he was a man of very promising talents, he is much regretted. But he had been raving to fight a duel ever since he had lost his election. He posted his successful rival, C. F. Mercer, as

a liar, coward, and scoundrel, for refusing to fight him, more than a year ago, and the newspapers of last summer were filled with his charges of cowardice against McCarty for hesitating as to the time, place, and form of meeting him. The duellists here consider this as quite an illegitimate battle, and almost murder, because it was fought with muskets. But if it had been with pistols, though Mason had practised pistol-shooting till he could thread a bullet on a cambric needle at twelve paces, and McCarty was so near-sighted that at the same distance he could scarcely discern his man, it would have been quite in order.

8th. Mr. De Neuville came to tell me that he had conferred since our interview last Saturday with Mr. Onis, and had used every possible argument with him to prevail upon him to meet us so far as to render a treaty practicable; that Mr. Onis's dispositions and ardent wishes were as favorable as possible to an adjustment; that his powers were unlimited, and his instructions gave him a great latitude; and that he would call upon me himself to-morrow at any hour that I should appoint, and deliver to me a projet of a treaty. What it would be he (De Neuville) did not know in all its details, and it was proper that we should receive it from Mr. Onis himself; but he hoped and believed it would contain no insuperable obstacle to a final and amicable adjustment of our differences. I appointed one o'clock to-morrow to receive Mr. Onis, of which De Neuville engaged to give him notice. The questions upon the proposed resolutions in the House of Representatives, to censure General Jackson's proceedings in Florida, were this day taken, and all decided against the resolutions and in his favor.

9th. As I was going to the office this morning I met General Jackson, who stopped and told me that he was going to my house to apologize to me for having declined accepting my invitation to dinner and afterwards having dined with Mr. Calhoun, the Secretary of War. He had in the first instance declined accepting his invitation also, but, Mr. Calhoun having assured him it was only to meet a few military friends who were occasionally here, he had been prevailed upon to accept. He added that, as the question concerning him was now de-

cided, he was going to assure me of the sense which he entertained of the part that I had taken in this affair, and of the support given him by the Executive Government.

I told him I was happy that the decision of the House of Representatives had confirmed the correctness of the view taken of his conduct by the President; that my share in these transactions had been dictated entirely by a sense of duty and a conviction that his conduct had been correct and proper, and that I hoped yet to have the pleasure of seeing him at my house. I made a short call at the President's, but he was engaged, and I went over to the office, where Mr. Onis came at the appointed hour of one, and delivered to me his projet of a treaty for the cession of the Floridas by Spain to the United States, for the settlement of the western boundary, and for the adjustment of the claims of indemnities of the citizens of the United States against the Spanish Government. He said it was drawn up in English, with reference to the inofficial interviews between Mr. De Neuville and me on one part, and the same Minister and himself on the other. It is in seventeen articles, upon which, after reading them, I made some observations, and promised to lay them before the President, who, I presumed, would direct me to present him a counter-projet. He professed the most earnest desire to come to an agreement with us, and a strong hope that we might conclude before the end of the present session of Congress. I took his projet immediately to the President, to whom I read it, and, after conversing with him on the modifications of them which it would be expedient on our part to propose, I took it home with me, promising to prepare to-morrow a counter-projet, to be submitted the next morning at eleven to the Administration, together with the projet itself.

10th. Storrow came, and renewed the application for an appointment as Secretary of Legation abroad, which General Brown had yesterday made for him. I told him that I should be very sincerely disposed to befriend him, but that an office of Secretary of Legation would present him no prospect of future advancement or of a permanent condition in life. It might be an object desirable for a young man wishing to visit

Europe and acquire some knowledge of the world, but he had seen Europe, and nothing there would have to him the charm of novelty, or furnish him with any valuable addition to his stock of knowledge. In Europe, diplomatic offices afforded a condition of life, a career to which a man might devote himself entirely and without looking farther. But in the practice under our Government, founded upon the nature of our institutions, it was merely an incident in the life of a statesman—a preparation for something else, essentially transient, and offering in itself no prospects worthy of honorable ambition. He said he was satisfied, from the view I had given him of the subject, that it would not be for his interest to obtain the appointment which he had desired, and that he should conclude upon another course, and go and settle in the State of Ohio. I was engaged in preparing the counter-projet for a treaty with Spain to that presented to me yesterday by Mr. Onis. I made it by marginal alterations and additions, and by erasures in his projet. I then took it to the office and gave it to Mr. Brent, to make out for to-morrow morning a copy half-sided, for consideration at the Cabinet meeting.

11th. There was a full meeting of the members of the Administration at eleven o'clock this morning. I found on going to the office that Mr. Brent was not there, and sent to his house for the copy of my counter-projet for a treaty with Spain. He sent it to the President's with Mr. Onis's projet, both of which were fully discussed. Several other alterations and modifications of Onis's projet were proposed. The meeting broke up at four o'clock, adjourning till to-morrow, without coming to ultimate conclusion. The second article of Onis's projet contains the cession of the Floridas by the King of Spain to the United States, but describing the Floridas such as they were ceded by Great Britain in 1783, and with the limits by which they are designated in the treaty of limits and navigation concluded between Spain and the United States on the 27th of October, 1795. I struck out this passage, as being useless to define the cession, and as implying an admission that the part of West Florida of which we are already in possession was not included in the proposal, also that the second and third

articles of Onis's projet should be included in one article, with an additional clause, providing for the delivery of the archives and documents, which was approved. Onis's fourth article contains his boundary line west of the Mississippi, beginning at the Sabine on the Gulf of Mexico, following the present boundary of the State of Louisiana to the Red River, then the course of the Red River to longitude one hundred and latitude thirty-three and one-fourth, thence a line north to the Arkansas, then the course of the Arkansas to its source and to latitude forty-two, thence to the source of the Multnomah, then following that river to forty-three, and thence in that parallel to the South Sea. The rivers, and all the islands in them, to belong to the United States, and the western and southern banks of the rivers to form the boundary of Spain.

We are now approaching so near to an agreement that the President inclines to give up all that remains in contest. He was this day decidedly for agreeing to the one hundredth degree of longitude, the forty-third of latitude, and for taking the middle of the rivers, if we cannot get more. The members of the Administration all incline the same way; but I was convinced we should obtain more by adhering steadily to our points.

Onis's eighth article provides that the territories in the two Floridas occupied by the troops of the United States should first be formally restored to Spanish Commissioners, to be again delivered up to the Commissioners or officers of the United States. The alteration that I propose is, that the places already in our possession shall remain so, and the rest be delivered up to our officers. But, this being merely matter of form, it was concluded not to be tenacious about it. Onis's ninth article confirms all grants of lands made before the 24th of January, 1818—that being the day when he made the first proposal for the cession of the Floridas—and declares all grants subsequent to that date null and void, the grantees not having fulfilled the conditions of the cession. I proposed to add that all prior grants should be valid only to the same extent that they would be to the King of Spain himself. It was agreed that I should urge for this addition.

The tenth article contains the mutual renunciations of claims

of indemnity. Onis has taken the draft of our renunciations from our own proposals heretofore made. Among his renunciations on the part of Spain, is one for the revenues collected by us in the Floridas, and for damages to the Crown in consequence of our invasion. I drew a counter-renunciation of the indemnities due to the United States for the expenses of the late campaign in Florida, necessitated by the failure of Spain to fulfil her treaty stipulation to restrain by force her Indians from hostilities against us. But, as an alternative, I drew a short mutual renunciation of indemnities on both sides for the late transactions in Florida.

The eleventh article annuls in part the Convention of August, 1802, and provides that the indemnities due to the citizens of the United States for spoliations shall be made from the proceeds of the public lands in Florida. It releases all claims of citizens of the United States upon the Government of Spain, reserving only those upon individuals. I proposed a modification of this release, confining it only to those claims for which the claimants were entitled to the interposition of their respective Governments. This modification was, however, rejected, on the principle that we could not beforehand decide what claimants were and what were not rigorously entitled to the interposition of their Government. There was a long and earnest discussion of this point, and distinctions taken between claims upon contracts and claims for wrongs, captures at sea and seizures in the ports. Crawford said that if we admitted claims upon contracts, the whole floating debt of Spain would be brought down upon us. The President drew up a description confined to unlawful captures at sea, and unlawful seizures in the ports of Spain and the Colonies. It was debated whether the claims of R. W. Meade, of W. D. Robinson, of Lloyd and Perkins, of James Yard, and of Smith and Buchanan, would be embraced by this description, and whether provision ought to be made for them. Crawford was for reducing as much as possible the claims to be compensated, and for striking out that item of the renunciations which had been proposed by me in my letter to Onis of 31st October last, and which included all claims statements of which have been presented to the Department of State or to the Minister

of the United States in Spain. Crawford said this was not binding upon us now, because it had not been accepted when offered. Calhoun inclined the same way. Thompson doubted whether the seizures at Lima, by the Viceroy of Peru, of vessels and cargoes for which there were mere licenses from the Spanish Government, would form claims upon contract or upon unlawful seizure, and Wirt said it would very well bear an argument. The whole discussion upon this article was adjourned till to-morrow at noon.

I had drawn an additional article, to be the eleventh, providing for the examination and adjustment of all the claims by three Commissioners, citizens of the United States, to sit at Washington, and providing for the payment of the claims to the amount of five millions of dollars. It was determined that this article should be proposed, and also that the thirteenth and fourteenth articles of Onis's projet should not be admitted. These were stipulations that all vessels should be cleared out for ports specifically named in the papers, and that all others should be liable to capture and condemnation.

The fifteenth article was an engagement to deliver up deserters from merchant vessels, which it was decided should be admitted.

The seventeenth was a stipulation that Spanish vessels should for twelve years be admitted into all the ports of both Floridas on the same footing as those of the United States, and always afterwards upon the footing of the most favored nation. As we are now in controversy with France upon the construction of a similar article in the Convention for the cession of Louisiana, it was resolved not to agree to it in this treaty.

The sixteenth article promised a certificate that the United States have received no satisfaction from France for the captures by French privateers and condemnations by French Consuls within Spanish jurisdiction, so that Spain may claim indemnity for them from France. I proposed to certify the fact in the article itself, and to modify the last part of it, and say, without naming France—so that Spain may avail herself of it in such manner as she may deem just and proper. This was also determined.

12th. I am so constantly occupied and absorbed by this negotiation with Onis that almost all other business runs in arrear, and in a most especial manner this journal. I rode to the President's, and the adjourned Cabinet meeting was held. The subjects left undecided yesterday were resumed, and I was finally authorized to accept the longitude one hundred from the Red River to the Arkansas, and the latitude forty-three to the South Sea, if better cannot be obtained. With regard to the claims, I had drawn up a projet of a clause admitting all those which have been stated at the Department of State, or to the American Minister at Madrid, and excluding all such as could be satisfied by the ordinary administration of the judicial tribunals of Spain. This was, however, not adopted, being considered as vague and uncertain. The President's proposed draft, limiting the claims of this specification to those for unlawful seizures at sea, or in the ports of Spain and her Colonies, was adopted. After it was thus settled what should be offered as our counter-projet, I went to the office and altered the draft which had been copied by Mr. Brent, making it conformable to the determination of the meeting, and left it with Mr. Brent to make out a second fair copy to be ready to-morrow and to be communicated to Mr. Onis.

13th. Mr. Brent came, and brought his fair copy of the counter-projet of a treaty with Spain to be offered to Mr. Onis. After calling at the President's, I sent for De Neuville, the French Minister, who came to the office. I read to him the parts of our counter-projet which differ from the projet of Mr. Onis, explained to him our motives for rejecting some of the articles offered by him, and the reasons of the modifications which we desired to some of the others. I told him that Onis's projet had been for two days discussed in full meetings of the Administration; that the projet we now had to offer was the last we could make; I should send it this day to Mr. Onis, and, as it was of extreme importance that we should come to some termination immediately, I wished him to see Onis and prevail upon him to give us an answer, yes or no.

He said he would see him, and endeavor to prevail upon him to meet us, as far as might be in his power; but he suggested

the difficulties upon which he knew Onis would lay the greatest stress. He pleaded with extreme earnestness for the forty-third degree of latitude to the South Sea, and he was sure Onis would insist upon the middle of the rivers for the boundary. He would also object to the five millions of dollars to be assumed by the United States to pay their own citizens for claims upon Spain, because it would have the appearance as if it was the sum given for the Floridas, which everybody knows to be worth more than ten times that sum. De Neuville had also objections of his own to the sixteenth article of Onis's projet; that is, the certificate that the United States have not received from France compensation for the captures by French privateers and condemnations by French Consuls within Spanish jurisdiction, so that Spain might re-demand the compensation from France. It seems Onis had never shown him that article of his projet; and when I read it to him with the modification proposed by me, he appeared surprised, and somewhat irritated—not against us, but against Onis. He said he should advise him to strike it out, and, if he refused, would send him his own pamphlet signed "Verus." I told him that it was an article to which we could not object, but which was not desired by us. If he could obtain the consent of Mr. Onis that it should be omitted, we should certainly not insist upon its being retained. Upon the whole affair he promised to see and converse with Onis, and let me know the result to-morrow.

15th. Mr. De Neuville, the French Minister, came and reported to me the substance of his interview with Mr. Onis relative to the counter-projet for a treaty which I sent to Onis the day before yesterday. He desired some further explanation with regard to my throwing into one the second article of his projet, and to the additional clause to it proposed by me. Without knowing what particular explanations were desired, I gave Mr. De Neuville the reasons for making one article of the two, and for the addition proposed. There were in this article, and in many others of the projet, sentimental professions of friendship and affection between the United States and the King of Spain, to say the least, entirely superfluous, and which I therefore struck out. But the boundaries of the Floridas, as

his projet proposed to describe them, could not be admitted by us without giving up the ground for which we had always contended, that West Florida to the Perdido belonged to Louisiana. It was unnecessary for the contracting parties to say anything of their motives—unnecessary to say anything directly contrary to their past pretensions, and one of the most important principles in drawing up public compacts was brevity—as few words as possible to express with precision the agreement. The additional clause was intended merely to secure the delivery to the officers or Commissioners of the United States of the archives and documents of the ceded provinces. This explanation, De Neuville supposed, would be sufficient.

A more formidable objection was made by Mr. Onis to my third article, containing the boundary line westward of the Mississippi. After a long and violent struggle, he had agreed to take longitude one hundred, from the Red River to the Arkansas, and latitude forty-two, from the source of the Arkansas to the South Sea. But he insisted upon having the middle of all the rivers for the boundary, and not, as I proposed, the western and southern banks; and he also insisted upon the free navigation of the rivers to be common to both nations. De Neuville urged these demands with great earnestness, and thought it was a point of honor which Onis could not abandon without humiliation.

I told him that I could see no humiliation in it. We were to agree upon a boundary, for which purpose the bank of a river was more simple and less liable to occasion future controversy than the middle of the river. It was extremely difficult to ascertain where the middle of a river throughout its course was. It would take a century to settle the middle of the Sabine, Red, and Arkansas Rivers, and to which of the parties every island in them would belong. But by taking the banks for the boundary, and declaring the rivers and all their islands to belong to the United States, there could be no question hereafter between the parties to arise from this arrangement. It was of no importance to Spain, who never would have any settlements on these rivers. But the United States would have extensive settlements upon them within a very few years. Then the islands

in the rivers would be occupied, and questions of title and controversies with Spain [would arise]. My principle had been to cut up all this by the roots, which would be done by taking the banks of the rivers for the boundary. There were, I told him, several examples of it in the boundaries between the States of this Union, and we were now engaged in a long, tedious, and expensive negotiation with Great Britain to settle a boundary, all the difficulties of which arise from having assumed a middle of rivers and lakes for the line. De Neuville acknowledged that this view of the subject took away all ground of objection upon the point of honor, and said he would endeavor to convince Onis of it, but if the banks of the rivers were to form the boundaries, the Spanish settlers must at least have the use of the waters and the navigation of the rivers to the sea. I told him that such stipulation, if made, would be merely nominal, as there was not the remotest probability of there ever being any Spanish settlers there. I could not promise the acceptance of *any* variation from the projet I had now sent to Mr. Onis. All I could say was, that if he would agree to take the banks of the rivers for the boundary, I would refer to the President for his consideration the question with regard to the use of the waters and the navigation of the rivers to the sea.

Mr. Onis agrees to the fourth, fifth, and sixth articles of my counter-projet, and to the seventh, which provides for the delivery of the places in Florida to the officers of the United States within six months after the exchange of the ratifications, and for the evacuation by the Spanish troops. But Mr. Onis asks that the United States should furnish transports and the necessary escort for conveying them to the Havanna.

I told Mr. De Neuville that while Mr. Onis was so punctilious upon the point of honor, this was a proposal that I should not have expected from him; but, as he did think proper to make it, I would refer it to the President, and did not expect that it would be refused.

Mr. Onis insists upon the ninth article of his projet as drawn up by him, which confirms as valid all grants of land in Florida made before the 24th of January, 1818, and annuls all grants made since then for non-performance of the conditions.

My proposed amendment was to confirm, of the grants prior to 1818, only those the conditions of which have been performed. Onis rejects this, and says the reason assigned for annulling the grants subsequent to 24th January, 1818, is only to save the honor of the Spanish Crown.

I now discussed the subject with De Neuville much at large, and told him it was impossible for us to confirm by the treaty grants which, without the treaty, would be null and void. We did not intend, neither could the King of Spain desire, that we should make the treaty an engine for fraud to sanction titles which the King of Spain himself does not acknowledge, and which would strip the United States of the whole fund from which the sums we assume to pay, for indemnities to our own citizens, must be paid.

He said there might be many honest bona fide grantees partly settled upon their lands, but who, in the full confidence that they would never be dispossessed, had been prevented from performing all the conditions of their grants, or had neglected them. And, as they would never have been molested by the King of Spain, it would be very hard upon them if the treaty should turn them out of their estates.

I told him we should have no such intention or desire. Bona fide holders of land for settlement, in actual possession, would be doubtless suffered to hold their lands, as they would have held them under the Spanish Government. But we could not cripple our own resources and at the same time sanction fraud. All, therefore, that I could consent to refer again to the President was, that grants prior to 24th January, 1818, should be binding upon the United States to the same extent that they would be upon the King of Spain if the territory had remained subject to Spain. If there was an invincible objection on the part of Spain to have this principle established by an article in the treaty, we might perhaps take the article drawn by Mr. Onis, delivering at the signature of the treaty a declaration to be made public to the same effect: so that there might be no misunderstanding of our intentions.

De Neuville declared himself satisfied upon this point. In the renunciation of claims in the ninth article, Onis proposes

to add those for seizures in the *territories* of Spain and her Colonies, to be added to those at sea and in the ports. The object of this addition, De Neuville said, was to include the claims of Chouteau, De Mun, and others in the Missouri territory for seizures of their property in a trading speculation by the Viceroy of Mexico. De Mun is of French origin, and has a brother living with De Neuville and attached to his Legation. Onis asks further that to the mutual renunciation of claims for indemnities arising from the late military transactions in Florida should be added a clause that satisfaction shall be made by the United States for any damages suffered by individual inhabitants and Spanish officers in Florida by the late operations of the American army.

I observed there had been formal stipulations that private property should be respected, and there was no reason to suppose they had been violated. I could not perceive, therefore, the necessity for such a clause. He replied that there were some such complaints, and there might be others. Mr. Onis thought himself bound, while agreeing to the cession of the territory, to secure protection to the lawful interests of the inhabitants who were Spanish subjects; that they should obtain justice for individual injuries as if they were citizens of the United States. I took the clause for reference to the President.

Onis agrees to the tenth article, annulling the Convention of August, 1802. In the eleventh, he insists upon omitting the limitation of the sum to be assumed by the United States for payment of the claims of their citizens upon Spain to five millions of dollars. This was one of the points most strongly debated between us. I insisted that as this article particularly regarded the United States themselves, and we agreed to give a full discharge to Spain, she could have no right to ask the omission of the limitation, and if there should be no limitation of the sum, besides the uncertainty under which we should be, of what we should have engaged to perform, there would be great alarm here among the public, and exaggerated representations of the claims assumed, which might even endanger the ratification of the treaty by the Senate.

He said Onis was exceedingly anxious upon this article, and

fearful that he would be blamed in Spain for having sold the Floridas for five millions of dollars. He said there were difficulties to get over in the King's Council at Madrid as well as in the Senate of the United States. There was an influence of priests in the Council, which was always counteracting the policy of the Ministers, and which produced the most extraordinary inconsistencies and absurdities in the proceedings of that body. The Minister was never sure of anything. One day he would obtain a solemn resolution of the Council, and give instructions to a Minister abroad accordingly, and the next day, by some manœuvre of the King's Confessor or some Grandee of Spain of the royal household, the resolution would be annulled by another contradictory to it. He had seen a succession of instructions to Onis marked by these successive and contradictory resolutions of the Royal Council. Nothing could be more ridiculous and disgusting. But these priests, who had no measures of their own to propose, and were never responsible for anything, were always setting up the honor and dignity of Spain, the glory of the monarchy, and talking as in the time of Charles the Fifth. Now, if the limitation of five millions should be in the treaty, it might give them a handle to say that the interest and honor of Spain were both sacrificed by the bargain.

I rejoined that it was notorious that the Floridas had always been a burden instead of a benefit to Spain; that, so far as her interest was concerned, to obtain five millions of dollars for them would be a bargain for Onis to boast of, instead of being ashamed—as a mere pecuniary bargain, it would be a hard one to us; that as to the priests, if Onis signed the treaty without transcending his powers, it would be too late when it should reach Madrid for them to resist its ratification—and he himself had told me that he had unlimited powers—that he could, if he chose, cede to the United States the kingdom of Mexico without transcending them. However, I would take for reference to the President the proposition to leave out the limitation, to which, for my own part, I should not have much objection.

Mr. Onis agrees to omit the thirteenth and fourteenth articles of his projet. He insists upon the sixteenth, which De

Neuville thinks is very indecent, and he has no doubt will be disapproved by the Spanish Government. But he admits we cannot with propriety reject it; and as to Spain's re-demanding the indemnity from France, let her come when she will, said De Neuville, we have an answer ready for her. Onis clings likewise to his seventeenth article—the privilege for twelve years to Spanish vessels in all the ports of the ceded territories, and the treatment of the most favored nation forever afterwards.

I told De Neuville we could not agree to it. As to the latter clause, he knew we were now in controversy with him on the effect of a similar stipulation in the Louisiana Convention; and the other part of the article would admit Spanish vessels as privileged to the port of Mobile and the ports of Florida, which we claim as our own, and of which we have been for years in possession.

He then said, if we could not grant the whole of the article we might at least grant it in part. It would probably never be of much use to Spain, but, having the appearance of a commercial privilege, it might help to reconcile the nation to the cession; we might omit the last clause, and confine the remainder to the places of which possession is yet to be given to us.

I consented to take for reference to the President the question of the twelve years' privilege, limited to the ports of Pensacola and St. Augustine.

After going through this discussion of all the articles of the treaty, De Neuville promised to see Mr. Onis again to report to him my observations, and to-morrow will let me know the result. We went to a ball at Mr. Bagot's. The roads were excessively bad—almost impassable. Mr. De Neuville's carriage overset as he was going home, almost in front of Mr. Bagot's door. Holmes, and a party of members of Congress, overset in a slough opposite the Treasury Department Office. It was midnight when we came home, and not without difficulty that we reached the house with our horses, one of which, in heavy roads, is addicted to *balking*.

16th. Mr. De Neuville sent me this morning a note with a written statement, part French and part English, of the sub-

stance of our conversation yesterday, and the points upon which Mr. Onis and I have come to an agreement, and those upon which the arrangement is yet to be completed. The paper, though short, contains a view sufficiently correct of all the material parts of our conversation, though with an apparent (and probably only apparent) mistake of the sixteenth for the fourteenth article. He sent me this minute of what passed between us by way of precaution, to be sure of what he might say to Onis from me, and wrote me that, after seeing Onis this morning, he would call at my office between two and three o'clock.

At the President's I met Mr. Thompson, the Secretary of the Navy. De Neuville came to the office according to his promise, and told me that Onis had concluded to come to our terms. He had agreed to all the essential points. He would have a copy of the treaty in Spanish made out as soon as possible, and bring it to me himself, to be laid before the President. He had given up some of the objects on which we had differed, with great reluctance, and hoped we should be willing to reconsider them before concluding. He clung very tenaciously to the middle of the rivers for the boundaries, but he had convinced him there was nothing humiliating for Spain in assuming the banks. As to the article relating to the grants of land in Florida, Onis's object was merely to secure the bona fide holders of lands, and not to cover any fraudulent concessions. He made it even a point of honor to annul the grants made by the King last winter, because hints had been thrown out that he himself had been personally interested in them. He was also exceedingly anxious that the limitation of the sum assumed by the United States to five millions of dollars should be omitted, but will not make it a sine quâ non. The privilege for Spanish vessels at St. Augustine and Pensacola for twelve years was a very important object to him, and he hoped the President would consent to it. At all events, it might now be considered as certain that we should conclude a treaty.

This is the first day that I have permitted myself to indulge this hope, and with the hope came an anxiety more profound than I have ever felt, lest it should ultimately be deceived. We

all attended a ball this evening at Mr. Onis's. The rumor that we are upon the point of concluding a treaty has got abroad to such an extent that many enquiries were made of me upon the subject—many which I could not answer with propriety and which it was at the same time difficult to parry. I had some conversation with Mr. Onis himself, who told me that he would have his Spanish copy of the amended projet made out to-morrow or the next day. He pressed me very urgently for the middle of the rivers and for the omission of the limitation of five millions, and pretended that De Neuville had told him we should yield those points, which, however, De Neuville himself expressly denied.

The excessive curiosity upon the subject of this negotiation with Spain is qualified only by the agitation of a new question in the House of Representatives, on a bill for admitting the Missouri territory into the Union as a State. A motion for excluding slavery from it has set the two sides of the House, slaveholders and non-slaveholders, into a violent flame against each other, and Middleton told me Clay had seized the opportunity of pushing himself forward as the champion of the Southern interest. He would thus contrive to keep himself always in the public eye as a party leader, and be ready for every event that may happen. It was about midnight when we returned home from the ball.

The Senate yesterday confirmed the nomination of John Forsyth, of Georgia, as Minister Plenipotentiary to Spain. He has been several years a member of the House of Representatives from Georgia, and Chairman of the Committee of Foreign Relations. After being re-elected to the next Congress, he has in the course of the present winter been transferred to the Senate in the place of Colonel Troup, resigned, and, after taking his seat in the Senate, was appointed on the Military Committee, and its Chairman. Some weeks since, I was directed by the President to offer him the mission to Spain, which he immediately declared his readiness to accept; notwithstanding which, he has retained his seat in the Senate and been among the busiest and most ardent adversaries of General Jackson. With a Spanish mission before him, this was neither very proper nor

very delicate; and three or four days since he concluded to abandon the prosecution, and gave a notice to the President that he was ready to be nominated for Spain. I presume he obtained this appointment through the influence of Mr. Crawford. He is a man of some talents, but very indolent. His wife is daughter to Josiah Meigs, who is at the head of the Land Office, and niece to Return Jonathan Meigs, Postmaster-General. These are both offices having extensive patronage scattered all over the Union, and their influence was perhaps not without its weight in forming Mr. Crawford's estimate of Forsyth's fitness for the mission to Madrid. I have not formed a very exalted opinion of Forsyth's principles, or of the loftiness or delicacy of his character. He was last winter a seeker for office, and at the same time affecting a high and even uncivil tone of independence of the Executive in his speeches in the House of Representatives. This winter he offered himself in the newspapers to the Legislature of Georgia, soliciting to be elected their Senator, and, after accepting the offer of an appointment by the Executive to Spain, he has pursued in the Senate a course suited above all things to embarrass the Executive in his transactions with Spain. These are not the actions of a trusty man. Yet I hope he will hereafter prove to be one.

17th. Mr. Forsyth came to the office to enquire how and when it was expected he should depart upon his mission to Spain. I told him we should wish him to go as soon after the rising of Congress as he conveniently could, but I should not have time before then to prepare his instructions, the substance of which would entirely depend upon the issue of the negotiation upon which I am now engaged with Mr. Onis. I told him what the present state of that negotiation was, and the flattering prospects of a favorable conclusion that it offers. He said he supposed General Jackson's late campaign had contributed to produce this result, and I told him I had no doubt it had, very largely. The remark struck me as singular, coming from him, after the part he has been taking in the Committee of the Senate against Jackson for those very proceedings. We attended the drawing-room this evening at the President's. It is to be the last for the season, and was much crowded with

company. There was such a choke-up of carriages in the yard that we were there nearly, if not quite, an hour before we could get up to the door, and with no small danger of having the pole of a carriage behind ours through the panel upon us. Among the company at the drawing-room was my old Senatorial colleague and antagonist, Timothy Pickering, and the old ex-Consul and Chargé d'Affaires at St. Petersburg, Levett Harris.

18th. Mr. Onis came to the office, and brought me a draft of the treaty in Spanish, as he said, according to the counter-projet offered by me, modified by the discussions which have taken place by the intervention of the French Minister, Mr. Hyde de Neuville. Onis himself has for the last ten days been confined to the house by chilblains, and this was the first time of his coming out. Upon reading over his projet, however, I found he had made some variations from the agreement as settled with De Neuville. He had in particular assumed the middle of the rivers for the boundaries, instead of the western bank of the Sabine and the southern bank of the Arkansas. I told him we should not agree to this—when, to my astonishment, he told me that he had spoken of it last evening, at the drawing-room, to the President, who had promised him that we would agree to the middle of the rivers. I made no reply, but merely took it with the rest for reference. He importuned me again very obstinately to omit the limitation of five millions of dollars to the sum assumed by the United States to be paid to their citizens for claims upon Spain, and, finding me inflexible, he at last urged that at least we should agree to take six millions for the limitation—which, however, I still resisted. He insisted upon restoring the item of renunciation by the United States of all claims which have been presented at the Department of State, or to the American Minister at Madrid, since the Convention of 1802. I had intended the fourth item as a substitute, but he reminded me that the fifth had been originally a proposal on our part, in my letter of 31st October last. I answered that it had not then been accepted, and was afterwards withdrawn. But he replied that it had been again offered by me on the renewal of the negotiation; and indeed it includes

some cases upon which the Government is in some degree pledged to interfere, and which are not provided for in the other items. I took it for reference.

With regard to the article concerning the grants of lands, he claimed an entire confirmation of all grants prior to the 24th of January, 1818, with a formal annulment of those made since then—that is, those made last winter to the Duke of Alagon, Count Puñon Rostro, and Vargas. I told him we could not agree to give, by the treaty, any validity to grants which they would not have without the treaty. They should be as valid to us as they were to the King of Spain, and not more valid. We should not disturb bona fide holders, but it certainly could not be the intention of Spain that the treaty should sanction frauds.

He said there were some grantees who had been long in possession under condition of cultivating the lands within a prescribed time. Many of them had been prevented by the late circumstances of the nation, and the revolutions in Europe, from completing their settlements within the times prescribed and according to the tenor of their grants. Such bona fide possessors would certainly never be molested in their possessions or deprived of them by the Spanish Government, though possibly by the rigorous rules of the judicial tribunals they might be held to have forfeited their titles. It would not be just to leave such persons exposed to the discretionary effect of a new system administered by strangers, and in ceding the country, Spain was bound to provide for their being quieted in the tenure of their estates. He therefore asked that such persons might have, to complete the cultivation required as a condition of their grants, the time allowed them by the grants, reckoning it to commence from the ratification of the treaty.

I said the United States would have no wish to disturb bona fide holders under such circumstances, and immediately drafted an amendment of the article to be referred to the President, and to which Onis assented. With regard to the privilege to Spanish vessels for twelve years at St. Augustine and Pensacola, he said we ought to have extended it also to Tampa Bay,

which he was sure would be a place of great consequence and of extensive trade within five years. After these explanations I took his Spanish copy, and our counter-projet, modelled conformably to it, to be presented for consideration to the President.

19th. Cabinet meeting at the President's to consider the amended projet of a treaty with Spain, and the modifications still desired by Mr. Onis. A proposal had some time ago been started by Mr. Crawford, that instead of the banks of the Red River, a chain of mountains running, as he says, parallel with the river, about twenty or thirty miles south of it, should be assumed as the boundary from the northwest corner of Louisiana to the point where the line is to strike, across the Red River, north to the Arkansas River. Crawford's reason for this proposal was, that mountains are better boundaries than rivers. But, as there is no certainty that there is any chain of mountains running south of and parallel with the Red River, great part of the contemplated line, as the chain marked on Mellish's map, to which the treaty is to refer, extends only a small part of the way, no one knows how the range of mountains there really runs, or at what distance from the river; and as the whole idea was an after-thought, produced after the proposal made in writing by me to take the rivers for the limits, Onis had invariably resisted the alteration, and objected even against any discussion of it.

Some day this week, George Graham came to the President and told him that there were as many as two hundred American families settled on the south side of the Red River, and that there would be great dissatisfaction with the treaty in the Southern and Western country if we should not obtain both sides of that river. Crawford and Calhoun entered warmly into this suggestion, and I was directed to make another trial whether Onis would not take the mountains instead of the river for a boundary. I made the attempt, without effect, but not without use, for it appeased Onis's last throes against taking the banks of the rivers instead of their middle for boundaries.

At the meeting this morning I remarked that Onis still in-

sisted upon having the middle of the rivers; but I did not notice his assertion that the President at the drawing-room had promised him we would agree to it. I proposed that we should adhere to the principle of owning the rivers and all the islands in them ourselves, and of course to having the banks, and not the middle of the rivers, for boundaries. The President thought it was not a point upon which we should endanger the conclusion of the treaty. Mr. Thompson, Secretary of the Navy, asked if Onis would agree to take the banks of the rivers rather than break off. I said he would—he must; he had substantially agreed to it already. "Then," said Thompson, "insist upon it, by all means." The President acquiesced, as did Calhoun and Wirt. Crawford was not present, being confined to his house and bed by illness.

On the proposed clause for permitting the navigation of the rivers to the sea to the inhabitants of both nations, Mr. Calhoun immediately objected. He said it would give the Spaniards, even of Europe, the right of navigating up and down the Mississippi, at least as high as the mouth of the Red River. It was of course agreed that this should not be admitted, and I amended the draft so that the common freedom of navigation should be co-extensive only with the boundary itself on the rivers. The article relating to the grants of land in Florida, as drawn up after my conference with Onis yesterday, was considered, discussed, and approved. The time allowed to grantees in possession to *complete* their settlements according to the tenor of their grants is to commence from the signature of the treaty. And to make the grants valid, it will be required not only that the grantees should be in possession, but that they should have begun making the settlements required by the grants. Mr. Calhoun said this article was now put upon a more satisfactory footing than it had been at any time before. All the other articles, as proposed to be amended, were approved, but it was determined not to omit the limitation to five millions of dollars of the sum to be paid by the United States for the claims upon Spain. The meeting was over between two and three o'clock. I immediately went over to my office and sent for Mr. De Neuville, the French Minister, who shortly afterwards came. I told

him that having referred to the President all the alterations suggested to the projet of the treaty which had been before considered, he had again this morning taken the opinion of the members of the Administration; that it had been agreed to adopt all the alterations desired by Mr. Onis excepting two: one of which was that the middle of the rivers should form the boundary, and their navigation *to the sea* be common to the inhabitants of both nations; and the other, that the limitation of the sum to be paid by the United States, for claims upon Spain, to five millions of dollars, should be struck out. To these two proposals it had been determined that we could not accede. It was now necessary for Mr. Onis to come to his determination. The conclusion could no longer be postponed. I should send the draft as now adjusted immediately to him, and we must sign the treaty next Monday, or the President must send a message to Congress on Tuesday informing them of the unfinished state of the negotiation, that they may take such measures as they deem advisable before the close of the session of Congress.

De Neuville said he was afraid Onis would consider the encouragement he had received, to expect that we should yield those points, as a pledge which gave him a right to insist upon them. He (De Neuville) had made great use of the right of navigation to the sea to prevail upon Onis to give up on other points. Onis would be more tenacious of it, because it was a stipulation which he could make much of in reconciling his Government to the treaty. I had said I should not refuse to remove the limitation of five millions if the President would consent to it, and Onis assured him that the President had promised him at the drawing-room that we would take the middle of the rivers for the boundaries, instead of the banks.

I replied that I had given no encouragement to Mr. Onis which he could justly consider as a pledge that any of his proposed alterations would be accepted. I had taken them all merely and avowedly for reference to the President. I had said that for myself I should not inflexibly object to allowing the right of navigation of the inhabitants on the rivers to the

sea, or to omitting the limitation of five millions, yet I could in no wise answer for the decision of the President on these points. But I had invariably insisted on having the banks of the rivers for the boundaries, and should certainly consent to no others. As to what the President may have said to Mr. Onis at the drawing-room, I was confident Onis had not correctly understood his meaning. He had, I presumed, used some general expression that we should not break off upon small points of difference, but certainly without intending that Onis should understand it as a promise upon any particular point in discussion. But what right had Mr. Onis to speak upon this matter to the President at the drawing-room at all? He was treating with me: I had sent him a copy of my full powers and received the copy of his. The Secretary of State was the officer with whom the negotiation was to be conducted, and all immediate applications to the President by Mr. Onis concerning it were improper. I had taken and should take no notice of it in this instance; but the President himself would be much and justly displeased if he had reason to think that a complimentary expression of politeness, used by him in answer to a remark made to him by a foreign Minister at the drawing-room, was to be construed into an abandonment of an important principle in a pending negotiation.

De Neuville said that was perfectly just.

I added, further, that Mr. Onis could have no right to consider me pledged for the acceptance of anything in his last proposals, since he himself, after agreeing to accept the draft as amended after the last discussion between him (De Neuville) and me, had come to me the next morning and proposed several very important changes to it, and particularly that with respect to the grants of lands, by which we were to allow the grantees advantages which they would not be entitled to if the cession should not be made. He said that was true, but they were such as ought to be secured to the grantees. They were to operate only upon bona fide holders in possession, and who, after having begun to make their settlements, had been prevented by circumstances beyond their control from completing them. This was mere justice, and was what the Spanish

Government, in making the cession, was really bound in duty to secure to them.

I admitted that it was just, and said that was the motive upon which we had assented to it. Still, it was a departure from that to which Onis had before assented, and thus took from him all pretence that we were pledged to any other of the proposed alterations. He then left me, saying he would see Mr. Onis immediately, and endeavor to prevail upon him to accept the treaty as we now proposed it.

In the evening there was a ball at Gales's, which I attended with Mrs. Adams. De Neuville was there, and told me that Onis would call upon me to-morrow morning. He had concluded to sign the treaty. There remained only two or three words in our draft which he wished to have altered or explained. The rumors of the treaty's being on the eve of conclusion, and the curiosity to know something of it, were so general among the company at the ball that it was with difficulty that I could parry the various questions put to me about it. Members of Congress have many of them a pretension that they are entitled to know everything that is doing by the Executive; and others, holding to the doctrine that republics have no secrets, think themselves equally authorized to question the Secretary of State how his treaty with Don Onis comes on. Some had already been informed that we were to sign on Monday, while others, anticipating the fact, had heard that we had signed already.

20th. Mr. Onis came this morning to my house, and told me that he must accept the treaty as now prepared, since we would have it so, though he still thought we ought to give up the limitation of the five millions, and the banks for the middle of the rivers as the boundaries. I observed there was no time left for further discussion, and we had yielded so much that he would have great cause to commend himself to his Court for what he had obtained. He said I was harder to deal with than the President, and he must say, as a suitor once said to Philip IV., "'Sire, your Majesty has no influence with the Minister of Grace and Justice, for he refuses me what you have granted.' However, to say no more of that," said the Chevalier, "I want

an explanation of the words in your eighth article, 'shall *complete* them,'" referring to the conditions of the grants to be fulfilled.

I said they meant that this privilege should be confined to bona fide holders of lands, in actual possession, and who have at least begun the settlements required by their grants; that it should at once quiet honest grantees who had been prevented from accomplishing entirely the conditions required of them, and defeat all fraudulent grantees, who have neither made, nor intend to make, any settlements. He said that was sufficient.

Then, in the eleventh article, the word "*exonerating*" seemed not quite explicit enough to discharge Spain entirely from the claims in question; he wished, therefore, to add the words "and considering them entirely cancelled," to which I immediately agreed. He then observed that in the treaty 27th October, 1795, the King of Spain was first named in the copies of the treaty in both languages, but now, in my draft of this treaty, the United States were first named. I told him that in the early treaties concluded by the United States they had not been tenacious of what is called the alternative in naming the parties. But, as it was a point always made between the European powers, the Government of the United States had determined not to suffer a departure from that usage to grow into a custom against them, and I showed him the Convention of 3d July, 1815, in which the alternative had been adopted with the assent of Great Britain, and the Louisiana Conventions, in which it was adopted with France.

He said he would not make an objection on this account, but as the precedent of the former treaty named the King of Spain first in both languages, and as published here in the United States, and as his Government was apt to be exceedingly punctilious on these occasions, he should, perhaps, on signing the treaty, deliver me a protest against its being hereafter ever drawn into a precedent.

I told him I certainly could not receive any such protest, for that, so far from its not being drawn into a precedent, it was our express intention that it should be a permanent precedent, and I could assure him we should never hereafter conclude a treaty

with Spain without insisting upon the same mode of signature and the same alternative first naming of the parties.

He then acquiesced upon the principle, but enquired how the alternative should be introduced—whether by naming the United States first in both languages in our copies of the treaty, and the King of Spain first in both languages in the copies to be sent to Spain, or whether the United States should be named first in their own language and the King of Spain in the Spanish of all the copies of the treaty, whether to be kept here or to go to Spain. He had brought a printed copy of a treaty between Spain and England, with the King of Spain named first in both languages, of which it was apparent that the copies possessed in England named the King of Great Britain first also in both languages. I told him I thought it would be best that all the copies should be alike, and therefore the United States should be named first in their own language and the King of Spain first named in Spanish, which I showed him was conformable to the arrangement in our Louisiana Conventions; to which he assented. We agreed also that we should both sign the treaty in both languages—I first and he second in the English copy, and he first and I second in the Spanish copy. It was then agreed that the treaty should be executed in triplicate copies on both sides; that we should have at least two copies prepared on Monday morning, when he would come at ten o'clock to the office of the Department of State. We would then execute them so that our copy may be sent on the same day to the Senate. The other four copies may be made out as soon afterwards as possible, and when ready we can sign and seal them.

At the office I had a long visit from Mr. Rufus King, the Senator, with whom I had a conversation of two hours upon political affairs. His principal object was to communicate his opinion that it would be most expedient not to accept the article relative to trade with the British West India Islands and Colonies in North America, which was suspended for reference to the Government of the United States at the conclusion of the Convention with Great Britain of 20th October last. On this subject Mr. Otis entertains an opinion directly opposite to

that of Mr. King, and is very anxious that the article should be accepted. I told Mr. King the state of the negotiation with Spain, and that a treaty would be sent in to the Senate on Monday. I mentioned to him in confidence the substance of its principal articles, with which he declared himself well satisfied. Mr. Sanford, Senator from New York, spoke to me of the Spanish negotiation. I told him the treaty would be sent in to the Senate on Monday, and mentioned generally its principal stipulations. He said he believed there would be an opposition to it in the Senate, particularly to admitting the Sabine River as the boundary westward of the Mississippi, but he did not think the opposition would prevail. I said, if it should, they would send us back the treaty, and we would try if we could do better.

21st. Mr. Trimble, one of the members of the House of Representatives from Kentucky, came this morning and had a conversation of more than two hours with me, entering into all the depths and meanderings of Kentucky State politics, and explaining to me all the projects and counter-projects of and for Mr. Clay, Colonel R. M. Johnson, Mr. John Pope, Mr. McKee, Mr. Sharpe, and others, the result of all which is that he wishes Mr. George Robertson, now one of his colleagues, to be appointed Governor of the new Territory of Arkansas, now in the process of being carved out from the Missouri territory by an Act of Congress. He left with me several letters, some to the President, some to Robertson, and some to himself, recommending Robertson. I promised to lay them all before the President.

22d. Mr. Onis came at eleven, with Mr. Stoughton, one of the persons attached to his Legation. The two copies of the treaty made out at his house were ready; none of ours were entirely finished. We exchanged the original full powers on both sides, which I believe to be the correct course on the conclusion of treaties, though at Ghent, and on the conclusion of the Convention of 3d July, 1815, the originals were only exhibited and copies exchanged. I had one of the copies of the treaty, and Mr. Onis the other. I read the English side, which he collated, and he the Spanish side, which I collated.

We then signed and sealed both copies on both sides—I first on the English and he first on the Spanish side. Some few errors of copying, and even of translation, were discovered and rectified. It was agreed that the four other copies should be executed in two or three days, as soon as they are all prepared. Mr. Onis took with him his executed copy of the treaty, and I went over with ours to the President's. The message and documents to be sent with it to the Senate were all prepared, but the President's brother and private Secretary, Joseph Jones Monroe, was gone to the Capitol with another message to Congress, and Mr. Gouverneur, Mrs. Monroe's nephew, who also resides at the President's and acts occasionally as his secretary, was likewise abroad. The President requested me to ask Mr. D. Brent to take the message with the treaty to the Senate, which he did. As I was going home from my office I met Mr. Fromentin, a Senator from Louisiana, and asked him if the treaty had been received by the Senate. He said it had—was read, and, as far as he could judge, had been received with universal satisfaction. It was near one in the morning when I closed the day with ejaculations of fervent gratitude to the Giver of all good. It was, perhaps, the most important day of my life. What the consequences may be of the compact this day signed with Spain is known only to the all-wise and all-beneficent Disposer of events, who has brought it about in a manner utterly unexpected and by means the most extraordinary and unforeseen. Its prospects are propitious and flattering in an eminent degree. May they be realized by the same superintending bounty that produced them! May no disappointment embitter the hope which this event warrants us in cherishing, and may its future influence on the destinies of my country be as extensive and as favorable as our warmest anticipations can paint! Let no idle and unfounded exultation take possession of my mind, as if I could ascribe to my own foresight or exertions any portion of the event. It is the work of an intelligent and all-embracing Cause. May it speed as it has begun! for, without a continuation of the blessings already showered down upon it, all that has been done will be worse than useless, and vain.

The acquisition of the Floridas has long been an object of earnest desire to this country. The acknowledgment of a definite line of boundary to the South Sea forms a great epocha in our history. The first proposal of it in this negotiation was my own, and I trust it is now secured beyond the reach of revocation. It was not even among our claims by the Treaty of Independence with Great Britain. It was not among our pretensions under the purchase of Louisiana—for that gave us only the range of the Mississippi and its waters. I first introduced it in the written proposal of 31st October last, after having discussed it verbally both with Onis and De Neuville. It is the only peculiar and appropriate right acquired by this treaty in the event of its ratification. I record the first assertion of this claim for the United States as my own, because it is known to be mine perhaps only to the members of the present Administration, and may perhaps never be known to the public—and, if ever known, will be soon and easily forgotten. The provision, by the acquisition of the Floridas, of a fund for the satisfaction of claims held by citizens of the United States upon the Spanish Government, has been steadily pursued through a negotiation now of fifteen years' standing. It is of the whole treaty that which, in the case of the ratification, will have the most immediate and sensible effects. The change in the relations with Spain, from the highest mutual exasperation and imminent war to a fair prospect of tranquillity and of secure peace, completes the auspicious characters of this transaction in its present aspect, which fills my heart with gratitude unutterable to the First Cause of all. Yet let me not forget that in the midst of this hope there are seeds of fear. The ratification of Spain is yet uncertain, and may, by many possible events, be defeated. If ratified, many difficulties will certainly arise to clog the execution of the treaty. There is some discontent at the acceptance of the Sabine as our boundary from the Gulf of Mexico to the Red River. The amount of claims upon Spain which we have renounced and cancelled will prove five times greater than the sum which we have assumed to pay, and that, when finally ascertained, will leave all the claimants dissatisfied. For although our scale of comparison is between what

they will obtain under the treaty and what they would have obtained from Spain without it—that is, absolutely nothing—yet theirs will be between their entire *right*, which we cancel, and the very imperfect indemnity which we secure for them. The Floridas will be found, in all probability, less valuable in possession than when merely coveted. Most of the lands will be found to have been granted, and it may be doubted whether enough will be left to raise from their proceeds even the five millions to be paid for the claims. A watchful eye, a resolute purpose, a calm and patient temper, and a favoring Providence, will all be as indispensable for the future as they have been for the past in the management of this negotiation. May they not be found wanting!

23d. In the Washington City Gazette of this day there was an article announcing that the President had yesterday communicated to the Senate a treaty concluded with the Spanish Minister; and then, noticing the western boundary line from the Sabine, says it is thought the Senate will not, without strong opposition, relinquish the territory between the Sabine and the Rio del Norte, and concludes, "We trust the Senate will not agree to it." This paragraph comes, directly or indirectly, from Mr. Clay. Crawford told me some time since that Elliot, the editor of the Gazette, boasted that Clay was one of the writers for the paper, and although it has not supported him against Jackson upon the Seminole War questions, it has been almost neutralized upon them since Clay unexpectedly took his side against Jackson, and in every other respect is still devoted to him. The paragraph of this day is an experiment; an attempt to raise an opposition against the treaty in the Senate, with a view to produce a division of sentiment upon it in the public mind.

24th. Calling at the President's this morning, I met there Mr. Forsyth, and Mr. Storer, member of the Senate from New Hampshire. Enquiring of the latter whether the Senate had acted upon the treaty with Spain, he said they would take it up this day, the papers connected with it having been printed yesterday. I observed that, as an Act of Congress founded upon it would be necessary before the close of the session, there was no time to be lost, and he promised to have it called up this day.

The President said that Mr. Holmes, Chairman of the Committee of Foreign Relations, had been with him, and was desirous of introducing the bill which would be necessary to provide for carrying the treaty into execution. He desired me, therefore, to see him as soon as the Senate should have passed upon the treaty. They did pass upon it this day, and *unanimously* gave their advice and consent to its ratification. I sent a message to Mr. Holmes requesting him to call at my house to-morrow morning, and prepared a draft of a message to both Houses of Congress, to be sent them with copies of the treaty in our own language. The President said Mr. Forsyth had concluded to go to Spain immediately, and to take the treaty with him for the purpose of exchanging the ratifications. He would now go in a public ship, the first that could be ready to take him, and he would return home next autumn to settle his private affairs in Georgia and take out his family to Spain.

I sent to Mr. Onis requesting him to call at the office, which he immediately did. I told him that as an Act of Congress would be necessary to authorize the President, on the ratification of the treaty, to take possession of the ceded territories, copies of it must be communicated to both Houses of Congress, by which means it would probably soon be published in the newspapers, and I asked if he would have any objection to its being published immediately. He said he was apprehensive that in that case his Government would receive it through the newspapers before they would receive it officially from him—which would expose him to be censured. He therefore hoped the publication would be deferred as long as possible. I told him that Mr. Forsyth would take out the President's ratification, and would go in the course of a few days. He said he should send Mr. Zamorano with his copy of the executed treaty, and asked if a passage could not be given him in the same ship with Mr. Forsyth. I promised to mention it to the President, and told him I could venture by anticipation to assure him that Mr. Zamorano should have a berth. We agreed to execute the four additional copies of the treaty to-morrow.

It was a remarkable circumstance that on this day, when the Senate unanimously advised and consented to the ratification

of the treaty with Spain, a committee of five members of the same body made a report severely censuring General Jackson for the transactions of his campaign in Florida which have been among the most immediate and prominent causes that produced that treaty. This is the committee from which Forsyth withdrew, and upon which Eppes was appointed to take his place. Lacock, of Pennsylvania, as Chairman, made the report, with which Burrill, of Rhode Island, and Eppes concurred. Mr. King, of New York, and Eaton, of Tennessee, were opposed to making the report, the sole object of which is to defame Jackson, for it concludes without offering any resolution, and it was not even intended that there should be a debate upon the acceptance or rejection of the report.

25th. Mr. Holmes, Chairman of the Committee of Foreign Relations, called at my house, and, upon examination of the treaty with Spain, took minutes of the bill to be offered to Congress for carrying it into execution provisionally till the end of the next session of Congress, the Act to take effect from the time of the exchange of the ratifications of the treaty. We recurred to the precedents of the first Act by which Mr. Jefferson was authorized to take possession of Louisiana, and of that by which an appropriation was made and authority given to Mr. Jefferson to appoint Commissioners during the recess, under the Convention of the 11th of August, 1802, with Spain. Holmes minuted as objects to be embraced by the bill—the power to take possession of the territories, of providing for sending the Spanish troops to the Havanna, and of appointing Commissioners during the recess of the Senate, to be nominated at their next meeting.

At the office. Mr. Onis came, with Mr. Stoughton, and we executed the four remaining copies of the treaty, after carefully reading and collating them with our copy already executed. Onis took two of the copies now signed and sealed, and two of them remain at the office. The treaty was sent this day by message to Congress.

26th. At the office came successively Mr. McRae, who was last spring appointed Consul at Amsterdam, but has not yet concluded whether he will accept the appointment or not. He

is a particular personal friend of the President's, and a man of talents and information. He gave me some account of the political intrigues which have been working at Richmond upon the affairs of the Seminole War and General Jackson's transactions. Some of the men of the highest standing and greatest abilities in Virginia are personal rivals and adversaries of Mr. Monroe. His popularity, however, throughout the State, supported by the weight and influence of Mr. Jefferson and Mr. Madison, is so great that they do not venture to assail him directly and in front. They are therefore constantly on the watch for any occasion upon which they can attack his Administration; and Jackson and the Seminole War have furnished the best of which they have yet been able to avail themselves. They are hitherto unsuccessful. But the misfortune of Mr. Monroe is that the Virginians have discovered it will be necessary to render his Administration unpopular for the purpose of securing the next Presidency to a Virginian.

27th. Artiguenave called on me this morning, and said he proposed to have his second evening of French readings and recitations next Friday; that among the selections that he had used at Boston, Philadelphia, and Baltimore was a piece very good for declamation, from the Abbé Raynal's History, upon the Declaration of Independence of this country. He had been advised to deliver it here; but, as the British Minister and the members of his Legation might attend, and perhaps consider it offensive, he had thought it best to take my advice upon it before coming to his determination. He brought me one of his pamphlets containing this piece, which I read, and then told him that I saw no objection to his speaking it, unless he considered as such the chance which it might produce of his losing the members of the English Legation from among his hearers. That was for his consideration. He said he would deliver it.

*Day.* In its general distribution, similar to the last month. But it has been more oppressed with important occupations, and more interrupted by dissipation. We have oftener had company at home, and I have been oftener in company abroad. Dinners, evening parties, and balls have absorbed an unreasonable portion of my time, but I have indulged myself and

others by mingling in society, partly to repel a reproach, which has been very assiduously spread abroad, of a reserved, gloomy, unsocial temper as belonging to my character, and partly because the session of Congress is to close so soon that the sacrifice to frivolity will be short. Evening companies make late hours, and the loss of the morning invariably follows that of the evening. Besides the heavy and increasing breaches thus produced in my correspondence, this mode of life runs up a long arrearage in my journal. I have accordingly written nothing since the 11th. How often has this complaint been made! How frequent and how fruitless my resolutions, upon retrieving arrears, to incur them no more! The extreme importance in the record of my life of this month, now just expired, has been the very occasion which prevented the narrative from keeping pace with the occurrence of events. I complete the record, 28th March, at precisely four weeks' distance from the time, and with a hand which I can scarcely call my own. Yet a few days, and it will no longer hold a pen. Let the will outlast the power of the fingers, and let me find consolation for unavoidable inability in the recollection of accomplished good.

*March* 1st. The Columbus, a seventy-four, that is to say, a ninety-gun ship, was launched from the Navy Yard. I went there with the ladies of my family, left them under shelter in one of the buildings at the yard, and went myself on board the ship, and was launched in her. The operation was entirely successful, and the movement of the ship so smooth and regular and gentle that the moment of her final parting from the ways and floating upon the wave was scarcely perceptible to those of us who were on board. It was the first time I had ever been in a vessel when launched. The weather was unfavorable, and a cold rain was drizzling for nearly two hours that we were waiting for the blocks to be knocked away and the vessel to start. There was a great crowd of spectators upon the surrounding shores, but few on board the ship—among them Commodore Rogers, General Brown, Mr. Rhea, of Tennessee, and Dr. Thornton. Commodore Rogers stationed General Brown and me on the edge of the quarter-deck. We gave her three cheers as she was sliding down and plunged

into the deep. No unpleasant accident occurred. May the Columbus prove worthy of the name she bears, and may her career upon the ocean be as brilliant as her introduction to it was auspicious! I returned to the shore in a boat. The President and the other heads of Departments were at the yard, but none of them on board the ship. I attended, with Mrs. Adams, a ball this evening at Mr. Bagot's, and lost a game of chess with General Brown. Hopkinson told me that they had lost in the House of Representatives this day the proposed amendment to the bill authorizing the President to take possession of Florida, by the manner in which Holmes had proposed it. He told the House that the Committee had not thought it necessary, but that he proposed it at the suggestion of one of the heads of Departments. This instantly started Clay up in opposition to it, and Johnson, of Virginia, who poured forth their sarcasms and their indignation that heads of Executive Departments should presume to make suggestions to committees of the House, and they prevented the passage of the amendment. Now, Crawford is constantly boasting that he draws up bills for committees, who present them exactly as he draws them. Yet never a word is said of Executive suggestions from him. This was a bill merely to carry into execution a treaty just made by the Executive, and of which the House knew nothing but from Executive suggestions. The fling at Executive suggestions was therefore in this instance misplaced, even to absurdity. But the true secret was, Holmes did not want the amendment to pass; whence I conclude he has the project of being one of the Commissioners himself, and thinks he will stand a better chance if the appointments are postponed till the next session of Congress than if they should be made during the recess.

2d. General Jackson returned at five o'clock this morning from his tour to New York. He was to have been here yesterday at the launch, but was detained at Baltimore. He has been everywhere received and entertained with great distinction; but the report of the Committee of the Senate against him, made last week, keeps alive the controversy respecting his proceedings in Florida.

3d. I came home late from the office, and after dinner walked up to the Congress halls. The President was in the committee-room of the Senate, examining and signing bills. Mr. Calhoun, Mr. Thompson, and Mr. Wirt were there, and Mr. J. J. Monroe. Mr. Crawford was absent, being still confined by indisposition. The press of business was not great. The number of bills for signature was not considerable, and none of them long. I went into both Houses in the course of the evening before their adjournment. There was nothing to excite debate or even interest in either. Between nine and ten o'clock the usual committee of two members from each House, Macon and Daggett from the Senate, Harrison and Pitkin from the House of Representatives, came in and announced that they were ready to adjourn. The President informed them that he had no further communications to make, and they adjourned. Calhoun walked home with me.

4th. We had company to dinner—General Jackson, Captain Estin and Dr. Bronaugh, General Bernard and Captain Poussin, and Messrs. Coles, Eaton, of Tennessee, Fromentin, Jonathan Mason and his son, Middleton, and Tallmadge. I had little conversation with General Jackson, but he told me he wished to have an opportunity of talking with me before he should leave the city. The only thing that he said to me manifesting his feelings was a remark upon the appointment of Mr. Forsyth as Minister to Spain. I told him the appointment of Mr. Forsyth, in which I had no share, was determined upon before he had taken any part in the questions of the Seminole campaign. The company left us early in the evening, General Jackson being engaged to attend the city assembly and ball, the last for the season.

5th. Mr. Forsyth called at my house to enquire of the arrangements to be made for his voyage to Spain. He is to embark in the Hornet at Boston for Cadiz, and I am to prepare his instructions for him as speedily as possible. Mr. Levett Harris, to take leave, and to say something about the settlement of his own accounts. He has been here several weeks endeavoring again to obtain some declaration or document from the President acquitting him of the charges of official corrup-

tion while he was Consul at St. Petersburg, in the years 1808 and 1809. He has obtained a certificate from Coxe, who was Consul at Tunis, the effect of which is to discredit J. D. Lewis, whom he represents as the source of all the accusations against him, and he has procured declarations from Rodde, of Reval, and from Kusel, of Archangel, discrediting their own former testimony against him. They are artfully drawn up, appearing to disavow but not contradicting any of the facts they had stated. I had most of them from Rodde, of Reval, himself, and Harris has never dared deny them to me. They make, in my opinion, a case of corruption in Harris so gross that the only scruple I have ever had with regard to my own conduct in relation to it is a doubt whether I ought not to have reported it to the Government at the time, and broken off all friendly intercourse with him forever. But Rodde's communication to me was confidential, and under an injunction of secrecy. The part of an informer, always ungracious, is doubly so when performed by one public officer against another with whom he is in relations intimately associated. I was aware that if I made the charge, the witnesses, being themselves sharers of both the filth and the lucre, might be tampered with and bribed, perhaps, into a denial of their own statements. The proof was distant and precarious, and I was going for an indefinite time to be far distant both from the proof and the place where it was to be produced. There were circumstances which would at that time have given a charge from me against Harris the appearance of being dictated by personal animosity or resentment. He had, through an intrigue of Daschkoff's, supplanted W. S. Smith, my nephew, as Secretary to the Mediation mission, and the world would readily enough have concluded, as Bayard did, and told Harris so, that I must be his personal enemy. Lastly and chiefly (for the considerations hitherto mentioned were only prudential, referring to myself, but this touches the public concern in the case), Harris was no longer in the situation to sell or betray the interest of his country by his venality. The occasion had gone by. He might be left in the place then assigned to him without jeopardizing any important public interest. I was therefore silent,

and had never taken any part concerning the charges against him other than was indispensable. His attempt, without giving any notice to me, to saddle the public with the expense of a messenger for his nephew John, because he brought one copy of my dispatches at the proposal of the Mediation, is an instance of unprincipled rapacity at which I have found it difficult to keep my temper. He has pushed for it to the last moment, and affected this day to say that he thought, upon the explanations he had given me, that I had waived my objection to the charge. He asked also now for an outfit as Chargé d'Affaires at St. Petersburg, a charge which he had not made, but which he said he understood had been allowed to others. But he had charged more than the amount of an outfit for expenses of his journey from St. Petersburg to London, in pursuit of Messrs. Bayard and Gallatin, and back to St. Petersburg. I told him I had objected to that charge, but the President had directed it to be allowed in lieu of an outfit. As no credit was given him to draw for his salary when he was sent to St. Petersburg as Chargé d'Affaires, and he was obliged to live upon his own means, I advised, and the President directed, that he should be allowed interest upon his salary as it became quarterly due until he was paid. Even this allowance of interest is contrary to the rules of the Treasury, and, as they have ways of masking everything there, Pleasanton objected to it as interest, and wanted to allow it under the name of loss of exchange. I refused this, for in public affairs one of the strongest safeguards of integrity is to call things by their true names and speak of them as they are.

Mr. Artiguenave sent in to my office a note requesting to see me only for a minute—"très-pressé." It was to tell me that Mr. De Neuville had sent for him this morning in great agitation, and begged, entreated, and implored him not to recite this evening the Abbé Raynal's declaration upon American Independence. It was "très beau," he (De Neuville) admired it as much as any man, but he conjured him not to repeat it. If he did, not one person of any of the Foreign Legations would attend. No; let him take a scene or two from "Shakspeare Amoureux," a most excellent (senseless) piece. "And so,"

said Artiguenave, "what am I to do?" I told him by all means to gratify Mr. De Neuville, and turn Shakspeare. I attended his séance in the evening, and Shakspeare it was—a French Shakspeare. He also repeated an ode of Le Brun, who, he said, had been called "Le Pindare Français." The ode is called Le Vaisseau, and is a loose and dilated paraphrase in eight or ten stanzas of a smaller number of lines in Gray's "Bard." He also gave us "Oreste," in the last scene of Racine's "Andromaque." There were fifty or sixty persons composing the auditory.

6th. At one o'clock I met Mr. Daschkoff at the President's house, and presented him to the President, to whom he delivered his letters of recall. He said that in presenting them he was commanded by his sovereign to express the continuance of his friendly sentiments towards the United States, and although it had been his lot to reside here in difficult and stormy times, he should return to his country with the highest respect for the character and institutions of this nation, of personal respect for the President, and of grateful remembrance of the kindness that he had experienced here. He spoke with some awkwardness and evident mortification.

The President answered him that he received with great satisfaction the assurances of the Emperor's friendship for the United States; that this Government recollected with pleasure the interest which the Emperor on various occasions has taken in their favor, and would be earnestly desirous of cultivating and reciprocating his friendship in future. With regard to Daschkoff himself, he said the Government of the United States wished that he might be received with acceptance by his sovereign, and they would learn with pleasure anything that might contribute to his welfare hereafter. And Mr. Campbell would be instructed to express the same sentiments to the Emperor's Government.

Daschkoff was apparently much relieved by this kind and gracious dismissal, which he had indeed little deserved from Mr. Monroe. No foreign Minister in the United States ever had a fairer and easier opportunity of serving faithfully his own sovereign, and at the same time making himself accept-

able to the Government to which he was accredited. No foreign Minister ever more wantonly threw away all those advantages, more grossly outraged this Government, or more rashly hazarded the friendship, and even the peace, between the two countries. Mr. Monroe was so deeply interested and had so great a share in the transactions connected with Daschkoff's misconduct in the affair of Kosloff, that his procedure to him now is marked with real magnanimity.

Daschkoff asked me whether he could have an opportunity of paying his respects to, and taking leave of, Mrs. Monroe. I spoke of it afterwards to the President, who said there would either be another drawing-room, or he would give the foreign Ministers a dinner before leaving the city for his contemplated Southern tour.

8th. Called this morning at the President's, and left with him the drafts of instructions, general and personal, to Mr. Forsyth. In the course of the morning Mr. C. J. Ingersoll called upon me with two notes from the President. One related to the petition for a remission of a judgment of the United States against a man named Sarmiento, sometimes a Portuguese, sometimes a citizen of the United States, and sometimes a Spaniard. He has been for some years attached *pro forma* to the Spanish Legation as a Secretary. The judgment of the United States against him is as bondsman for his son, upon a breach of the Embargo Laws in 1809. About a year ago, Ingersoll drew up and sent forward a petition for the remission of this judgment, which was claimed on the ground of his diplomatic privilege. The President took the opinion of the Attorney-General upon it, which was against the privilege. Sarmiento was then here, his character not in the best repute, and the state of the negotiation such as not to invite any peculiar indulgence to a Spanish intriguer. The remission of the judgment was refused. Ingersoll now applies for it again. He says that Sarmiento is at Madrid, and has great personal influence there; that he is a personal favorite of the King's, and will be extremely useful to Mr. Forsyth, one of whose objects will be to obtain pardons for a number of Americans who are in various Spanish prisons.

The President's other note was to say that Mr. Clay had been with him this morning, and told him he had been informed that the grants of lands made last year by the King of Spain in the Floridas, and which we had understood were annulled by the late treaty, were dated the 23d of January, one day only before the date assumed in the treaty, subsequent to which all grants are declared to be null and void. The President says in this case an infamous fraud has been practised upon us, and desired me to obtain some declaration from Mr. Onis concerning it, unless the documents in the Department would answer the end. I immediately hunted up all Mr. Erving's late correspondence, and found the copy and translation of the grant to the Count of Puñon Rostro, being an order to the Governor-General of Cuba to put him in possession of the land. It is dated 6th February, 1818, which may therefore be considered as the time when the grant was *made;* and so I considered it when we signed the treaty, for I examined this very paper with a view to ascertain its date before signing the treaty. But now, upon a close examination of the paper itself, I found it was not as Mr. Erving described it in his dispatch, a *copy* of the grant, but an order to the Governor to put the grantee in possession, and referring to the grant itself as having been dated, and announced to the Council of the Indies, in December, 1817. In fair construction we have a right to consider the grant as not *made* until this order was issued. Still, if I had critically scanned this paper before signing the treaty, I should not have agreed to the 24th of January, 1818, as the date before which all grants are conditionally confirmed. I should have insisted upon some months earlier. I came home and dressed, and went and dined (with what appetite I might) with General Jackson at his lodgings. Messrs Calhoun, Thompson, and Wirt were there, but not Mr. Crawford. The rest of the company were officers, with Messrs. Edwards, Eaton, and some others. General Jackson is to leave the city to-morrow morning. Immediately after dinner I withdrew, and called upon the French Minister, Hyde de Neuville. I asked him whether, in the negotiation of the late treaty with Spain, and at the signature,

it had not been constantly understood by him and by Mr. Onis that the grants of land in Florida, said to have been made last winter by the King of Spain to the Duke of Alagon, Count Puñon Rostro, and Mr. Vargas, were null and void. He said, unquestionably. He recollected specifically only the name of the Duke of Alagon, but Onis had also mentioned the names of the others, and invariably understood that the grants to them all were annulled by the treaty. I told him it might be necessary that Mr. Onis should give a declaration to that effect, for there was a rumor in circulation that the grants were dated the 23d of January, 1818, the very day before that assumed in the treaty, subsequent to which the grants were annulled. I said that if the grants had been made before the 24th of January, there had been an error in the date proposed by Mr. Onis and accepted by us, which it would be necessary to rectify at the exchange of ratifications, and before the treaty shall have become binding upon Spain; that Mr. Forsyth would therefore be instructed, on exchanging the ratifications, to deliver a declaration that the treaty was signed with the full and clear understanding on both sides that those grants were by it null and void, and that they would be accordingly so held by the United States. And a declaration to the same effect by Mr. Onis might serve for the entire satisfaction of the Spanish Government, if they should have any doubts on the subject.

He said the Spanish Government could have no doubts. They knew perfectly well that the grants were annulled, and Onis had himself written to his Government proposing a mode of indemnifying the grantees elsewhere. But he would go immediately to Onis, and had no doubt he would without hesitation give a declaration under his hand that he always understood those grants were to be null and void under the treaty.

I returned home, where we had a numerous evening party. Onis and his family were not here. They go into no company, having received information (though not official) of the death of the Queen of Spain. De Neuville came late. In the course of the evening he told me that he had seen Mr. Onis, who would readily give a declaration that in signing the treaty it

was with the understanding that the grants to the Duke of Alagon, Count Puñon Rostro, and Vargas would be null and void under it. But he did not himself know the date of those grants, and, as he could not suppose them to be before the date assumed in the treaty, he wished me to write him a note alluding to the report and asking of him an explanation. He said Onis himself had this evening named to him all three of the grantees. De Neuville said that if Onis's certificate should not be as explicit as I could desire, he would give me one that would be as complete as possible. Several persons of our company this evening remarked that I had a care-clouded countenance. It was emphatically true. The discovery that, after all the pains I had taken with the eighth article of the treaty, it might yet be susceptible of so much as a question whether those grants are annulled, that this question became possible by my inattention in not thoroughly examining what Erving had transmitted as the copy of Puñon Rostro's grant before I signed the treaty, and the consequences which this carelessness might have drawn down upon this country, ay, and may yet draw down, filled me with anxiety and mortification. I have constantly had a vague, general, and superstitious impression that this treaty was too great a blessing not to be followed shortly by something to alloy it. This is at least enough to damp all vanity and self-conceit that I could derive from it. Never will this treaty recur to my memory but associated with the remembrance of my own heedlessness. Should it hereafter be, as it probably will, exposed to the world, and incur from my country reproach as bitter as my own, it will be no more than I deserve.

9th. After a night of little, and no cheering, repose, I drafted this morning a declaration to be delivered by Mr. Forsyth to the Spanish Government on exchanging the ratifications of the treaty, and a letter to Mr. Onis, stating the circumstances to him, and asking his answer whether he did not sign the treaty with the understanding that under it the three great grants were annulled. I took these drafts to the President, to whom I read them, and mentioned my conversations last evening with De Neuville, and the result of my examination of the paper

transmitted by Mr. Erving as a copy of the grant to Puñon Rostro. The President approved the drafts, but directed me to instruct Mr. Forsyth, if any difficulty should be made by the Spanish Government against receiving the declaration, he should nevertheless exchange the ratifications; for he considered the treaty of such transcendent importance to this country, that if we should not get an inch of land in Florida, the bargain would still be inexpressibly advantageous to us. The removal of all apprehension of a war with Spain, the consolidation of our territorial possessions, the command of the Gulf of Mexico, the recognized extension to the South Sea, and the satisfaction of so large an amount of the claims of our citizens upon Spain, were objects of such paramount consideration, and the attainment of them would raise our standing and character so high in the estimate of the European powers, that the land was of very trifling comparative consequence. Besides, as Onis admits that he signed the treaty with the understanding that the grants were annulled, and De Neuville certifies that such was the mutual understanding, if the fact be that they were made before the 24th of January, the fraud will be so palpable that when we have got possession of the country we shall have the means of doing ourselves justice in our own hands. With regard to Sarmiento, the President said it would be best to remit the judgment against him, and let Mr. Forsyth take the remission with him—particularly as it might be of service to him in obtaining the release of a number of our citizens.

I sent to Mr. Onis, requesting him to call at the office, and he soon came. I read and delivered to him the letter I had written to him this morning. He told me explicitly that he had signed the treaty with the understanding, that the grants to Alagon, Puñon Rostro, and Vargas were, and would be, null and void. He had supposed them to be subsequent to the 24th of January, 1818, but did not know them to be so; that they had not been made in the ordinary way, through the Ministry of Foreign Affairs. They must have passed through some other Ministry—perhaps that of Grace and Justice. Mr. Pizarro knew nothing of them. It had been pretended in some of the newspapers of this country that Mr. de la Serna came here upon

those affairs; but it was not so. Mr. de la Serna was a man incapable of having any concern in such transactions. He was, and had been many years, in the diplomatic career, and came here to be regularly attached to the Legation. The grants had been obtained by some private intrigue, by household officers and favorites, and he should explicitly inform his Government that he had considered them null and void. He would write to me accordingly, and he was perfectly convinced that this little difficulty would prove to be none at all.

I ransacked again this morning the whole of Erving's correspondence, and found the paper transmitted by him as the copy of the grant to Vargas. It is dated 10th March, and in the recitals it appears that the whole transaction was subsequent to the 24th of January, 1818. Upon this case, therefore, no question can arise; but upon examining the boundaries described in the grant, I found that it was land in West Florida west of the Perdido, and already in the possession of the United States. Mr. Forsyth called at the office and took leave. He goes to-morrow morning for Boston, to embark in the Hornet, Captain Read, for Cadiz. His instructions and documents were delivered to him, and I gave him the form of a declaration, relative to the grants, to be delivered on exchanging the ratifications of the treaty.

10th. I received this morning from Mr. Onis two notes—one in answer to my letter of yesterday, explicitly admitting that he had understood on signing the treaty that the grants to the Duke of Alagon, and others similarly circumstanced, were null and void, but adding that if he had known those grants were of a prior date he should have insisted upon their validity; and requesting my answer to his other note, which asks a variety of explanations of the Act against piracy passed at the late session of Congress. I wrote immediately to Mr. Forsyth, who left the city this morning, and enclosed to him copies of my letter to Onis, and of his answer. At the President's I met Mr. Thompson, the Secretary of the Navy, who had been writing to the Attorney-General asking his opinion upon the construction of the same Act against piracy, concerning which Onis had written to me. The Act is very loosely worded, and

throws much responsibility upon the Executive Administration. The President will not come to any determination upon it at present.

12th. At the President's this morning he mentioned that he wished shortly to have a meeting of the members of the Administration to consider the effect of the Acts passed at the late session of Congress against piracy and the slave-trade, and he intimated that the Committee of the Colonization Society had applied to him to purchase a territory on the coast of Africa to which the slaves who may be taken under the late Act may be sent. The President said there had been only an appropriation of one hundred thousand dollars, which could not be sufficient for purchasing a territory, but perhaps Congress would appropriate more hereafter.

I told him I thought it impossible that Congress should have had any purchase of territory in contemplation of that Act, and that I had no opinion of the practicability or of the usefulness of the object proposed by the Colonization Society, which object professes to be to establish a colony in Africa, where all the free blacks and people of color of the United States may be sent and settled. This project is professed to be formed: 1, without intending to use any compulsion upon the free people of color to make them go; 2, to encourage the emancipation of slaves by their masters; 3, to promote the entire abolition of slavery; and yet, 4, without in the slightest degree affecting what they call a certain species of property—that is, the property of slaves. There are men of all sorts and descriptions concerned in this Colonization Society: some exceedingly humane, weak-minded men, who have really no other than the professed objects in view, and who honestly believe them both useful and attainable; some, speculators in official profits and honors, which a colonial establishment would of course produce; some, speculators in political popularity, who think to please the abolitionists by their zeal for emancipation, and the slaveholders by the flattering hope of ridding them of the free colored people at the public expense; lastly, some cunning slave-holders, who see that the plan may be carried far enough to produce the effect of raising the market price of their slaves.

But although the plan obviously imports the engrafting of a colonial establishment upon the Constitution of the United States, and thereby an accession of power to the National Government transcending all its other powers, and although this tremendous machinery would be introduced under an ostensible purpose comparatively so trivial, and in a captivating form which might bring it in unperceived, I do not believe that is the actuating motive of any one member of the Society. For it would only be the motive of a man whose magnificence of design and depravity of principle would both go beyond my opinions of any man belonging to the Institution. The President said this subject had been recommended by a resolution of the Virginia Legislature. And then he enlarged upon the great earnestness there was in Virginia for the gradual abolition of slavery, and upon the excellent and happy condition of the slaves in that State—upon the kindness with which they were treated, and the mutual attachment subsisting between them and their masters. He said that the feeling against slavery was so strong that shortly after the close of our Revolution many persons had voluntarily emancipated their slaves, but this had introduced a class of very dangerous people, the free blacks, who lived by pilfering, and corrupted the slaves, and produced such pernicious consequences that the Legislature were obliged to prohibit further emancipation by law. The important object now was to remove these free blacks, and provide a place to which the emancipated slaves might go: the legal obstacles to emancipation might then be withdrawn, and the black population in time be drawn off entirely from Virginia.

At the office, the Committee from the Society, General John Mason, Walter Jones, and Francis S. Key, came and renewed the subject. Jones argued that the late Slave-Trade Act contained a clear authority to settle a colony in Africa, and that the purchase of Louisiana, and the settlement at the mouth of Columbia River, placed beyond all question the right of acquiring territory as existing in the Government of the United States.

I treated these gentlemen with all possible civility, but gave them distinctly to understand that the late Slave-Trade Act had no reference to the settlement of a colony, and that the acqui-

sition of Louisiana, and the establishment at the mouth of Columbia River, being in territory contiguous to and continuous with our own, could by no means warrant the purchase of countries beyond the seas, or the establishment of a colonial system of government subordinate to and dependent upon that of the United States. To derive powers competent to this from the Slave-Trade Act was an Indian cosmogony: it was mounting the world upon an elephant, and the elephant on a tortoise, with nothing for the tortoise to stand upon.

They took leave of me with good humor, but satisfied, I believe, that they will have no aid from me. A politician would have flattered them. As I was returning home to dinner, I met Mr. Edwards, the Senator from Illinois. I had seen by the newspapers that he had been re-elected by the Legislature of the State, which I mentioned, and told him I now hoped he would come. He said, Yes. He had hoped his friends would have been able to agree upon some other person to take his place, but they could not. Now, however, he should not be obliged to return home after every session of Congress, and travel twice a year eleven hundred miles to take his seat.

I told him General Parker had said to me the other evening at Dr. Thornton's that he was afraid General Jackson had gone from this city to Virginia with the determination to challenge J. W. Eppes. I hoped it was not so. He said, No; that he had intended it; that some intimation of this intention had been given to the President, and J. J. Monroe had come with two earnest messages to him to interfere and restrain Jackson from this design. He had called upon him, and met Eaton, of Tennessee, coming from him. Eaton had been endeavoring to appease him, without success. When he (Edwards) went in, he found Jackson exasperated beyond anything that he ever witnessed in man. But Jackson was always willing to listen to the advice of those whom he knew to be his friends, and to give it all due weight. So he sat down with him and argued the case till two or three o'clock in the morning, and then left him perfectly calm and good-humored, and rescued from his project of fighting Eppes. But when he had first represented to Jackson that it would have the appearance of an attempt to

overawe members of the Legislature in the exercise of their functions, his answer was, "But, by ——, sir, the 4th of March is past. Any man may approve or disapprove my actions at his pleasure. But my motives—no man shall impeach my motives with impunity." However, Edwards pressed upon him that his friends, by the earnestness with which they had defended him, had made his cause their own, and that any indiscretion or intemperate violence on his part would affect them in the public opinion almost as much as himself—a consideration to which he finally yielded, and he went off quite cool and composed. Of all this I had no knowledge at the time.

13th. The President has determined to set out the last week of this month upon a tour of three or four months to the South and West. As the Ministers of France, Spain, and England are all going to Europe on leave of absence before he will return, and it is very doubtful whether either of them will ever come back, and as the Russian Minister, Daschkoff, is finally recalled, they were all desirous of some occasion upon which they might take leave of the President and of his lady. After some consideration whether it should be by an extra drawing-room or a dinner, he concluded upon the last, and invites the whole Corps Diplomatique to dine with him next Tuesday. The former Presidents, particularly Jefferson and Madison, have admitted to a certain extent social visits from the foreign Ministers. Mr. Monroe, upon principle, has excluded this sort of intercourse, and receives them only: 1, at private audiences requested by them; 2, at the drawing-rooms; 3, at diplomatic dinners, once or twice a winter. But here arise certain questions of etiquette and precedency which it has become necessary to settle. Heretofore it has been invariably customary for the Secretary of State to be invited by the President to all the dinners given by him to the Diplomatic Corps, and, as there are no Ambassadors among them, but only Ministers of the second order, they have acquiesced in the principle adopted here, that the Secretary of State takes precedence of them. Since the commencement, however, of the present Administration, Mr. Monroe has been given to understand that the other heads of Departments expect an

entire equality with the Secretary of State, and would consider it as an offensive distinction in his favor if he should alone of them be invited to the diplomatic dinners. On the other hand, the foreign Ministers, though willing to yield precedence to the Secretary of State, are not willing, at dinners of professed ceremony given to them, to be thrown at the bottom of the table by postponement to four or five heads of Departments and their wives. To avoid these difficulties, Mr. Monroe last winter invited the foreign Ministers, without any of the heads of Departments, and to fill up the table invited with them the Navy Commissioners and some respectable private inhabitants of the city. But this did not escape remark. The foreign Ministers were not pleased at being invited with persons of inferior rank and private citizens, nor at the absence of the Secretary of State, with whom they had usually been associated on these occasions heretofore. The slight to the Secretary of State himself by the omission to invite him as heretofore was also noticed, not by me, for I knew nothing either of the usage or of the departure from it till a year after, but by the foreign Ministers and by all the gossips of the District, who have drawn many shrewd conclusions from it. Soon after the commencement of the late session of Congress, the President informed me that he meant to give the foreign Ministers a dinner, and to invite me and my wife to it, as had been customary. But he delicately alluded to the punctilious pretensions of the other heads of Departments to equality, and to the objections of the foreign Ministers to being crowded down to the bottom of the table, and he asked my advice. It was at a time when I went into no company, and I requested the President, on that account, to put me out of the question and not include me in the invitation. This answered for that time; but now the questions again recurred, and again the President asked my advice. I know not whether he had considered it as I did, but, with my sentiments of delicacy, to ask the question was to dictate the answer. I advised and requested him again to omit sending an invitation to me, and, with a view to reconcile all parties, hereafter to invite to his diplomatic dinners one of the heads

of Departments only—taking them alternately; to which he acceded; and such is hereafter to be the practice. These incidents, apparently so insignificant and contemptible, are connected with all the pantings of Crawford's ambition, and with the future history of this nation and of the world. By the superior real and inherent importance of the Department of State in the organization of this Government, and by the successive transfer of two Secretaries of State to the Presidency, a general impression has pervaded the Union of a higher consideration due to that Department, and that in the practice of the Government it is the natural introduction to the head of the Executive. It is now in all the legislative acts first named among the Departments, as the Treasury is the second. Until the late session of Congress the salaries of the officers at the heads of these Departments were higher than those of the two others. But a great and unceasing effort has been making at the two sessions of the late Congress to bring all the Departments to a level, and the President has been notified that the mere established usage by which the Secretary of State was alone invited to the diplomatic dinners would henceforth be considered as a distinction offensive to the other heads of Departments. To this notification the President has assented, for to ask my advice upon it was to settle the question. And from this operation of the incident upon his mind is apparent the course that he will take in the event for which Crawford is so indefatigably and so anxiously preparing. At the legislative caucus preliminary to the last election, Crawford was the candidate, and came near to be the successful candidate, against Mr. Monroe. As the candidate of a very powerful minority, then, he stands naturally the most prominent candidate after the close of Mr. Monroe's Presidential career. He is a native Virginian, and has all the sympathies of Southern interests and Southern feelings in his favor. On the ordinary impulses to human opinions and conduct, Mr. Monroe must ultimately favor Crawford's pursuits, and this occurrence, trivial as it is, furnishes one among many proofs that such will be the fact. I can see nothing in it of which I have any right to complain. It proves that the

relative position of Mr. Monroe, of Crawford, and of myself towards each other is a very bad one; that mine, in particular, is peculiarly bad, and probably to be remedied in no other manner than by my withdrawing from it—an event for which I have only to wish that my mind may be duly prepared.

15th. At the President's. He directed a meeting of the members of the Administration to-morrow, to consider the two Acts passed at the late session of Congress concerning piracy and the slave-trade. The French Minister, Hyde de Neuville, came to the office with complaints of French vessels robbed by piratical privateers from Baltimore. He told me he had given Mr. Forsyth a letter to the French Ambassador at Madrid, and would write him another, informing him of the understanding at the signature of the treaty with Spain that it annulled the grants to Alagon, Puñon Rostro, and Vargas. I accidentally mentioned to him the late change of the Ministry in France, the resignation of the Duke de Richelieu, the appointment of the Marquis Dessolles as Minister of Foreign Affairs, and the triumph of De Cazes, now nominally Minister of the Interior, and in reality at the head of the Cabinet. He had not heard a word of it, and was thunderstruck at the news, from which he foreboded nothing good to himself. I regretted having mentioned it to him. I lent him, at his desire, the English newspapers which I received yesterday, and which contain the information of this change of affairs in France.

16th. The meeting of the heads of Departments was held this day at the President's, from noon to four o'clock, to consider the Slave-Trade and Piracy Acts passed at the late session of Congress, and what instructions it would be proper to give to the commanders of the armed vessels of the United States for carrying them into execution. It was soon settled that the Slave-Trade Act gave no authority to the President to purchase a territory or establish a colony in Africa, though it does authorize him to take measures for removing beyond the limits of the United States the negroes who may be taken, as imported contrary to the law, and to appoint an agent to receive them in Africa. Mr. Walter Jones's argument is, that the negroes when received there cannot be left to starve; that

something must be done with them there; that lands must be given them to cultivate, which lands must be first owned by the United States. Therefore the President must have the right to purchase land for the nation and to settle a colony. Calhoun and Thompson scouted this construction of the Act, and I therefore said nothing about it. Crawford is one of the Vice-Presidents of the Colonization Society, but says he has no faith in the practicability of their projects. It is one of his traps for popularity.

Thompson mentioned to Wirt that he had sent him a number of questions for his opinion upon the construction of the Piracy Act, and I read the note from the Spanish Minister, Onis, in which he puts many questions concerning it. By the third section of the Act, merchant vessels of the United States are authorized to defend themselves, and resist by force the *search* of any armed vessel not being a *public armed vessel* of some nation in amity with the United States. It was observed that this authorized resistance against the search of lawful privateers. I insisted that this could not be the meaning of the Act. Wirt and Crawford contended that the words *public* armed vessels were always used in contradistinction to *private* armed vessels, the denomination exclusively applied to privateers, and Crawford referred to several Acts of Congress passed during the late war, in which the terms were respectively so used. I replied that those Acts all had reference to both our own public ships and privateers, the latter of which were therefore denominated private armed vessels to distinguish them from the others; but that in describing under general expressions the armed vessels of foreign nations, authorized by the laws of nations to search neutral vessels, the words public armed vessels must be understood to include privateers regularly commissioned, which in that sense are public armed vessels. This reasoning was not altogether satisfactory to others, though it was entirely conclusive to me. All agreed that the Act was very loosely worded, but, as the section applied only to a power given to the commanders and crews of merchant vessels, it was seen that there was no necessity for the Executive to give any construction of it at present. But, as the commanders of our public ships are

to be instructed under the Act to capture any vessel which shall have committed any piratical aggression upon any citizen or vessel of the United States, or *any other vessel*, the important question was, what should be understood as a piratical aggression; and, incidental to it, what flags and commissions of the revolutionary South Americans should be admitted as legalizing the exercise of the ordinary rights of war without coming under the denomination of piratical aggression. The question was made, what South American flags were to be admitted as valid, but it was not much considered. The President was averse to drawing any line of discrimination in the form of Executive instructions which should recognize one flag and outlaw another. I observed that the great object of the Act was the protection of our own commerce. The material incident upon which the authority to capture was given was some previous aggression, and I thought the instructions ought to hinge principally upon that fact. If one of the commanders of our ships should meet a vessel, and know of any aggression committed by her upon American citizens or property, I thought he might safely presume the piratical character of the act, and bring her in for adjudication, without much enquiry under what flag or commission she had acted. Mr. Thompson concurred in this opinion, and, no objection to it being made, it was understood that the instructions should be prepared accordingly. The President said it was probable that the operation of this law, so far as it would affect the parties to the South American war, would be against the patriots more than against Spain. Our agents, Irvine at Angostura, and Halsey and Worthington at Buenos Ayres, had been, to say the least, indiscreet. The agents of the South Americans here, Aguirre, Gual, and Clemente, had been still more so. The tendency of their conduct had been on both sides to embroil us, while it was our mutual interest to be on the best terms together, and while we had been not only rendering them important services, but promoting the cause of their independence far more than we could have done by a formal acknowledgment of their independence. The result of our former commission to Buenos Ayres had been favorable, and the effect produced by it and by our subsequent measures

upon the policy and conduct of the European allies had been highly advantageous to them. He thought it would be advisable to send one of our public ships to Buenos Ayres with a Commissioner, a person of the most trusty character and the highest respectability, to explain confidentially to the Government at Buenos Ayres all these circumstances, to show the necessity from which the Piracy Act arose, to furnish them with a copy and translation of it, to expostulate with them both against the conduct of their agents here and against the irregularities and excesses of their privateers, to remonstrate against their sending blank Commissions to be filled up here, and to ask them to furnish a list of their commissioned vessels. The President added that he proposed to draw up a paper as a foundation for the instructions to be given to such an agent, and asked who it would be proper to appoint, saying he had himself thought either of Mr. Poinsett or of one of the former Commissioners, Rodney or Bland. I asked if Poinsett would accept the appointment. The President did not know, and Calhoun thought it certain that he would not: he had declined being a member of the former Commission, and was now deeply engaged in schemes of internal improvement at home. Various objections were suggested to either of the former Commissioners, as well as to their Secretary, Brackenridge, who was also mentioned. The President finally reserved it for further consideration.

In the evening, Mr. Bourquenay, the Secretary of the French Legation, came fresh from the President's diplomatic dinner with a letter from Mr. Hyde de Neuville to the Duke de Laval Montmorency, the French Ambassador at Madrid, which was left open for me to read and then have sealed and forwarded to Mr. Forsyth. It contained a declaration that it was understood when the treaty was signed that the grants of land to Alagon, Puñon Rostro, and Vargas were null and void. After I had read it, Bourquenay sealed it, and I enclosed it under cover to Mr. Forsyth at Boston. I also desired him, at Mr. De Neuville's request, in case the Duke de Laval should no longer be the French Ambassador in Spain when he arrives there, not to deliver the other letter which De Neuville had given him for

send a special messenger to Madrid with a duplicate copy of the ratified treaty, to be exchanged for the ratification of Spain, on the contingency of any accidents happening to that taken out by Mr. Forsyth. To this the President has agreed. Mr. Thompson, the Secretary of the Navy, recommended to me Lieutenant Finch, late commander of the Prometheus, who has lately been put out of active employment by that vessel's being condemned. He wishes for an opportunity of going to Europe, and would be glad to go as bearer of dispatches from the Government. I told Thompson that, as one good turn deserves another, I had to recommend to him the case of poor Dr. Barton, an eminent botanical writer, strongly recommended to me, and whom he was turning with his family out of their daily bread by suppressing his office. He said he could not help it; he had agreed to allow Dr. Barton three months to look about him and provide for himself in some other way; but the establishment in which Barton was placed was an expense to the public, utterly useless, and it could not be continued. He afterwards came and introduced Lieutenant Finch to me at my office.

He also sent me a draft of his instructions to the commanders of our armed vessels for the execution of the Piracy Act. He had adhered so closely to the idea of directing them to capture only vessels having committed aggressions upon our own citizens or their property, that he had expressly enjoined them not to capture vessels for having committed aggressions upon those of any other nation. This appeared to me to be an instruction directly in the face of the Act, and I thought there might be many cases in which they ought to capture for aggressions upon foreign vessels.

I dined with my wife at Mr. Hyde de Neuville's—a diplomatic dinner. All the heads of Departments and foreign Legations there—thirty-four persons at table. I mentioned to Mr. Thompson my objection to the part of his instructions which prohibited what the law appeared expressly to enjoin. He said he would alter them. I told Mr. Onis that I had received a letter expressing apprehensions that the vouchers and documents stipulated to be delivered up in Florida would

be carried away, and I should write him a letter requesting him to give notice to the Governor-General of Cuba, and to the Governors of St. Augustine and Pensacola, of the engagement in the treaty, with a request that they would duly attend to its execution, and that he would also at the same time give them notice that the grants were annulled by the treaty. He said he would very readily write such letters. He then added, "If the Marquis of Casa Yrujo had been in your situation or mine in making that treaty, what a fortune he would have made by speculating upon those lands! They have charged me," said he, "with speculating in the lands; but it is not so. The Governor offered me grants of the lands, as the Governor of Porto Rico has made me the same offer for lands in that island; but I refused them in both instances. I particularly refused the grants in Florida, because I was engaged in the negotiation for the cession." This declaration was spontaneously made, and was explicit and positive; but Onis has too much of the character ascribed by Lord Chatham to Spanish negotiators in general. He meant me to understand that he had no interest, directly or indirectly, in the Florida lands. But I pause in my belief. He is a man of mental reservations, hackneyed in the ways of Spanish diplomacy; and his workings and windings in the drawing up of the eighth article of the treaty, and his subsequent allegation that he did not know the dates of the grants to Alagon, Puñon Rostro, and Vargas, with the qualified manner in which he admits that he signed the treaty with the understanding that those grants were null and void, leave scarce a doubt in my mind that he did intend by that artifice to cover the grants, while we were under the undoubting impression they were annulled.

Now, I told Mr. De Neuville, in conversation with him on the subject the other day, that if this was so, it was not the ingenious device of a public Minister, but "une fourberie de Scapin." De Neuville did not believe it possible. I wait to hear how the declaration to be delivered at the exchange of the ratifications will be received in Spain. If there was an intended deception on his part, I can assign no other motive for it than a personal interest of his own, for he must have

been aware that as a fraud upon the United States it could not ultimately succeed, they having the remedy in their own hands.

Onis's character is in strong contrast with that of De Neuville. Cold, calculating, wily, always commanding his own temper, proud because he is a Spaniard, but supple and cunning, accommodating the tone of his pretensions precisely to the degree of endurance of his opponent, bold and overbearing to the utmost extent at which it is tolerated, careless of what he asserts or how grossly it is proved to be unfounded, his morality appears to be that of the Jesuits as exposed by Pascal. In private life his character is respectable and amiable. He is laborious, vigilant, and ever attentive to his duties; vain of his decorations rather than of his talents; a man of business and of the world, but not of much literature or mental cultivation.

The Abbé Correa, who had promised to call at my office yesterday, sent me an excuse as being indisposed, and asked me to appoint another day. I had fixed this day or to-morrow: he now told me he would come to-morrow. After dinner I had a long conversation with Mr. Middleton, who is going in a few days to Carolina. He asked me how I thought Clay had happened to let the Piracy Bill pass without opposition. I said I did not know, unless it was that he meant to watch for its execution and then to take his stand of opposition against that. He said, No; but the last fortnight of the session Clay had spent almost every night at the card-table, and one night Poindexter had won of him eight thousand dollars. This discomposed him to such a degree that he paid no attention to the business of the House the remainder of the session. Before it closed, however, he had won back from Poindexter all that he had lost, except about nine hundred dollars.

Middleton spoke also again about Crawford's activity in spreading his influence by means of appointments, and observed that the newspapers in Crawford's interest had already given hints that Troup was to be the Governor of Florida. He said he thought General Jackson ought to have that appointment. I asked him if he felt sure that the Senate would approve the appointment if he should be nominated. He did

not know, but he hinted that it would be quite necessary for me to take some interest in the appointments to office, unless Crawford was to engross them all. He added that he had no friends that he wished to recommend, but he did not think Mr. Crawford's course altogether fair. I told him that, to be candid with him, I had been very cautious with regard to recommending any persons for appointments. The President kept it very much in his own hands. There had not been a single appointment of any consequence, even in my own Department, made at my recommendation, nor one that I approved. How far Crawford had been concerned in procuring them I could not tell. Forsyth's appointment, and his conduct after it, bore strong indications of Crawford's agency, as his connection with the heads of the Post Office and Land Office, with their little world of patronage and personal influence, pointed clearly enough to cogent motives for him to employ it.

Middleton asked whether I had any communications with Calhoun on this subject. I said I had not. I did not precisely know what Calhoun's views were, and had not thought it necessary to scrutinize them. I had found in Calhoun a firm, excellent, and most useful coadjutor on the South American questions. But of late, in all this affair of Jackson and the Seminole War, I had not exactly understood what he meant or what he was after.

He said that was true. He had made the same observation. But he did not believe Calhoun was, or would be, a partisan of Crawford's. He certainly was not two years ago, and, as a Southern man, Calhoun must have views of his own, which could not be advanced by Crawford's election as President. He said he should see him as well as some of his friends on his visit to Charleston, and might ascertain something more as to his dispositions. I said nothing further. We were talking till all the rest of the company were gone.

19th. Mr. Nicholas Biddle called here this morning. He came two or three days since to see the President, with whom he has a particular and confidential intimacy, and is about to return immediately to Philadelphia. Met Mr. Crawford at the President's. He was taking his directions upon some reserva-

tion of lands in the Alabama Territory for an Indian chief, conformably to a late treaty, and also concerning some or all the Inspectors of the Revenue at Baltimore, whom the District Attorney Glenn charges with accepting presents from the merchants. Others speak no better of Mr. Glenn himself. It is generally agreed that he is incompetent to his office. The officers of the United States have been the principal causes, by connivance, or by something worse, of all the piracies which for these three or four years have issued from that city. The only remedy yet devised is, that in the instructions from the Secretary of the Navy the commanders of our armed vessels are ordered to bring their prizes to ports other than Baltimore. The Abbé Correa came to my office this day according to appointment, and delivered me a long note in crippled English, insisting that the Government of the United States should declare all armed vessels sailing under the commission and flag of Artigas pirates. After some conversation with the Abbé, I endeavored to persuade him to take back his notes, for two reasons, one of which I did not tell him, and the other I did. The first was, that his note is in such bad English that I was afraid it would some day be called for and published, in which case it would cover him with ridicule; and the second, that it asked what we could not grant, and in a manner which must prove injurious to himself. His main argument is, that Artigas having no sea-port is not competent to issue commissions for privateers, and he says it is the same as if during our late war with England the Portuguese had fitted out privateers to cruise against our citizens and their property under the flag and commission of Tecumseh. The Abbé declined taking back his note, which he said contained not one word more than what he was expressly ordered by his Government to represent, and he entreated me to lay it before the President, which I promised him that I would. At the same time I asked him if he could furnish me with any authority from the laws of nations showing that a power not possessing any sea-port was *incompetent* to issue commissions, or to have a flag for the purpose of privateering. He said he believed he could; at any rate, he would collect and send me such as he could find.

20th. I made a draft to the Spanish Minister, Onis, requesting him to write to the Governor-General of Cuba, the Governor of St. Augustine, and the commanding officer of Pensacola, informing them of the substance of the eighth article of our treaty, and of the understanding between us that under it the grants to Alagon, Puñon Rostro, and Vargas are null and void, and also giving them notice of the stipulation to deliver up the documents and archives of the provinces, with a recommendation to them to take care of those papers, so that this condition of the treaty may be effectually performed. I took this draft to the President, and, after making an addition to it at his suggestion, it was copied and sent to Onis.

Mr. Thompson, the Secretary of the Navy, called at the office to press for the instructions to be given to the officer who is to go to Venezuela and Buenos Ayres. He brought me a copy of his instructions to the commanders for the execution of the Piracy Act. Mr. Thompson is going to pass some months at New York, and is very impatient to be gone.

21st. The President has determined to send a special messenger to Madrid with a duplicate copy of the treaty, and a power to T. L. L. Brent to exchange the ratifications in case neither Mr. Erving nor Mr. Forsyth should be there. The papers are preparing, and I had determined to employ Lieutenant Finch, the officer recommended by the Secretary of the Navy. But Mr. John H. Purviance, one of the clerks in the Department of State, wrote me this day a note asking to be appointed as the messenger himself. He thinks a sea-voyage and a relaxation from the labors of the Department will be useful to his health, which is infirm.

22d. At the President's. I mentioned to him the desire of Mr. Purviance to go as the messenger to Madrid. Purviance had also himself applied to him for it. The President said he should leave it entirely to my decision. Purviance is a particular friend of the President's, was his Secretary of Legation some time in London, and was left by him there as Chargé d'Affaires when he went to Spain. His health is always feeble, and he has turns of melancholy, sometimes to the degree of mental derangement. His handwriting is remarkably beau-

tiful, and he has a talent at translating from the French and Spanish languages. But he has no activity of mind or body, and cannot travel out of the record. As he is the only good translator from the Spanish in the Department, and as I am in daily want of Spanish translations, I can ill spare him from the office, but he says he must at all events have a furlough for his health, and he is altogether so valuable an officer that I shall conclude to gratify him by committing this charge to him.

At the office I received a dispatch from R. Rush, No. 50, partly in cipher, and written in a temper of mind different from that of all his former communications. The general tenor of it is, that all parties in England are united in the spirit of hostility to the United States. He says that personally he has been treated with universal kindness, excepting by the Prince Regent, who shows his animosity against this country by cautious incivilities to its representative—but that the hatred and envy of America is equally felt there by Whigs and Tories, Ministerialists and Reformers. He also mentions the Duke of Wellington, lately appointed Master of the Ordnance, and thereby a Cabinet Minister. He speaks of him as a man of very frivolous character—in which he is certainly mistaken. After deciphering the ciphered part of this dispatch, I sent it over to the President.

23d. Received the answer from Mr. Onis to my note of the 20th, requesting him to write to the Governors of Cuba, St. Augustine, and Pensacola. He says he has already written to them, according to my desire, about the vouchers, and about the grant to the Duke of Alagon. He still avoids naming the others in his notes, though he named them to De Neuville. He also calls upon me again to answer his note about the Piracy Act. Received also a note from De Neuville, with several documents relating to the piratical plundering of French vessels by cruisers under South American flags, but fitted out, armed, and manned at Baltimore.

25th. Mr. Thompson, the Secretary of the Navy, left the city this morning for a visit to New York. This office sits easy upon its holders. Mr. Crowninshield used to remain at Washington only when Congress were in session, and spent the

remainder of his time at home. Mr. Thompson appears to be determined to follow the example. The Chief Clerk and the Navy Commissioners make the duties of that Department comparatively very light. Met Mr. Crawford at the President's. Mr. Kerr, the Cashier of the Bank of the Metropolis, came and told me there was a vacancy in their Board of Directors, to be filled up in a few days, and asked me if I would accept it, if chosen. I told him that I would think of it, and give him an answer to-morrow. I had every disposition to serve the stockholders, and was grateful to them for the offer of their confidence; but I must consider of two things before giving a definitive answer: one, whether I could give the time necessary for doing justice to the interest of the stockholders and to the duties of the office; the other, whether it would be compatible with the duties of my public station.

We had company to dinner—chiefly the Corps Diplomatique—Mr. and Mrs. Bagot, Mr. and Madame Hyde de Neuville, Mr. and Miss de Onis and Madame de Heredia, Greuhm, Quabeck, Antrobus, Baker, Crawford, Bourqueney, Stoughton, Beauvolers, and Sasse, Correa, Amado, and Colonel and Mrs. Tayloe. We were twenty-two at table. Mr. and Mrs. Middleton, and General and Mrs. Mason, of Georgetown, were invited, but did not come. It was a parting dinner to the Ministers of England, France, and Spain, all of whom are going to Europe on leave of absence, and neither of whom will probably ever come back.

26th. I called this morning at the Bank of the Metropolis and told Mr. Kerr that, upon full consideration, I had come to the conclusion that I ought to decline accepting the office of a Director of that bank, chiefly for the reasons that I had suggested to him yesterday, with the additional consideration that, as there are several other banks in the District, and as the Bank of the United States, particularly, is a subject of great public agitation at this time, there might be some impropriety in my assuming the special relation of a Director to one of the banks. He was not altogether satisfied with my reasons, and I am not certain that they are absolutely conclusive. But in questions relative to delicacy of conduct I consider the negative rule as the best—"quod dubitas, *ne* feceris."

At the President's. He gave me the paper he had drawn up as the basis for instructions to be given to the captain of one of our armed ships, who is to go to Venezuela and Buenos Ayres. I called at Mr. Calhoun's office, and gave him to read the dispatches last received from R. Rush. They contain the account of his interview with Lord Castlereagh after he had received my dispatches of the 1st and 3d December and the copy of my letter to G. W. Erving of 28th November. Lord Castlereagh told him that copies of the proceedings of the Court-martial on the trial of Arbuthnot and Ambrister had been received from Mr. Bagot and submitted to the consideration of the Cabinet; who, considering the conduct of those two men as unwarrantable, had determined to make no representation to the Government of the United States on account of their execution. At the same time Lord Castlereagh intimated that their execution, particularly that of Ambrister, after the mitigated sentence of the Court-martial, was a subject of great regret to him. Calhoun is going to South Carolina, and accompanies thus far the President. He asked me last week if anything should, during his absence, occur in the Department which I could do for him, whether I would oblige him by attending to it; which I very readily promised. I asked him if Mr. Crawford had not undertaken it when he was absent last year. He said he had. The Chief Clerk, Major Vandeventer, had been referred to him, as he had himself been previously at the head of the Department of War. But, the Treasury Department not being in the same building with ours, the reference would be more conveniently made to me. He would ask the President to give me a written authority to act for him in case of necessity. This day he told me he had spoken to the President, who did not think it necessary that any special authority should be given, as it had not been usual on such occasions; but if Major Vandeventer should want advice upon anything to be done in the Department, he would apply to me.

27th. Just as I was about leaving the office I received a note from the Spanish Minister, Onis, enclosing copy of a letter from the King of Spain to the United States of America, announcing the demise of the Queen, his Consort, and requesting an audi-

ence of the President to deliver the letter; as also to present Mr. de la Serna as the Chargé d'Affaires from Spain during his absence. I took his note to the President, who told me he would postpone his departure till Tuesday morning, and would receive Mr. Onis on Monday, at one o'clock, to deliver the letter. According to the usual custom, he thought it would be sufficient for Onis to present Mr. de la Serna to the Secretary of State. Mr. Calhoun returned me the dispatches from Rush, whose style he does not admire.

28th. I answered Mr. Onis's note, that the President would give him an audience at one to-morrow to receive the King of Spain's letter, that I would then agree with him upon the time when I would receive him to present Mr. de la Serna as Chargé des Affaires. I paid visits to Mr. George Hay, at the President's, and to Mr. John Graham, at his house, to which he is confined. Hay told me that Watkins Leigh was certainly the author of "Algernon Sydney," although he had positively denied it. He said that when he went from here last December to attend the Legislature of Virginia he had read my letter of 28th November to G. W. Erving; that immediately after the meeting of the Legislature, when those who had undertaken to make of Jackson's Seminole War an engine against the Administration found they were getting into a minority, they immediately got up a plan for prevailing upon the Virginia Legislature to come forward with resolutions of censure, but not a man was found who dared to introduce them. He himself had from the beginning declined giving any opinion upon the subject, from the circumstance of his personal relation to the President; but, in proportion as the discussion was protracted here, the current of popular opinion set so strong in Jackson's favor that towards the close of the session of the Legislature it was with difficulty that they were restrained from passing resolutions of approbation upon the whole proceedings. He was glad they did not, because he thought that State should be particularly reserved at present upon topics connected with the administration of the General Government, but he was pleased to see that it had been taken up by the Legislatures of other States, and particularly by the House of Representatives of Pennsylvania, who

have passed a vote of approbation upon Jackson's proceedings by a majority of fifty-four to twenty-six.[1]

29th. At the President's house I met the Spanish Minister, De Onis, at precisely one o'clock, and presented him to the President. He delivered the letter from the King of Spain, and after less than five minutes of conversation we withdrew. At these audiences the President observes the usual forms practised by European sovereigns on similar occasions. That is, he receives them standing, dressed in a half-military uniform or a full suit of black. The Ministers are in full Court dresses. He stands in the centre of the drawing-room, and I accompany them, keeping the right hand. On receiving the letter, the President hands it, unopened, to me. The English Prince Regent had the same practice with Lord Castlereagh. All the other sovereigns to whom I have delivered letters opened and cast a cursory glance over them—the King of England, the Stadtholder of the Netherlands, the President of the States-General, the King of Prussia, and the Emperor of Russia. The President has a general answer to the short addresses which the Ministers make in delivering these letters; namely, "that the United States take a great interest in everything that concerns the happiness of their sovereign," with very little variation adapted to each particular case. He makes no other conversation; and of the Ministers, the Abbé Correa is the only one that makes it on his part, by starting topics, for which he has a peculiar talent. He, immediately after the office of etiquette is performed, doffs the diplomat aside, and opens a discursive field of conversation, upon which the President then readily enters. None of the others have the faculty or inclination for this, and their interviews are merely formal and dull. After withdrawing from the President into the antechamber, I agreed with Onis to receive him and Mr. de la Serna at the Department Office to-morrow at two o'clock. Onis told me that two

[1] The papers published in the Richmond Enquirer in 1818–19, under the signature of Algernon Sydney, were addressed to Mr. Adams, and were aimed quite as much at him for his letter to Mr. Erving defending General Jackson, as at Jackson himself. But in 1830 they were collected in a pamphlet and aimed at the Richmond Enquirer, which had in the interval become a zealous advocate of General Jackson, elected President the year before.

or three days since he had seen Mr. Garrido, the Agent of the Duke of Alagon, who had just come from St. Augustine, where he had been put in possession, for the Duke, by the Governor, and passed through here, being on his return to Spain. I asked Onis if he had told Garrido that the Duke's grant was annulled by the treaty. He answered that he had, and told him that the Duke must obtain an equivalent elsewhere: there was plenty of land in the province of Texas. I asked him if he knew whether Garrido had sold any part of the Duke's grant. He said, Not a foot. Garrido told him that the Duke's grant was dated the 17th of December, 1817; that those to Puñon Rostro and Vargas were subsequent to the 24th of January, 1818; that of the grants of lands in Florida before the Duke's, there were only about one million eight hundred thousand acres of English grants, and four hundred and eighty thousand, less than half a million, of Spanish grants; that the Duke's grant was of about seven millions.

I asked Onis if he had not seen a copy of any of the grants. He said he had not, and that he had not known what the date of either of them was. And he repeated that La Serna had never had anything to do with the business, and intimated that it was a transaction in which no honorable man would have taken a part. I told Onis that I should perhaps ask of him a passport for a person to go to St. Augustine—which he said he would very readily give.

After Onis went away, I returned to the President in his Cabinet, and found Mr. Calhoun with him. He said as he was going to-morrow morning, he wished to have a meeting of the members of the Administration immediately, to determine what should be done with the article suspended for reference to this Government, at the negotiation of the Commercial Convention with Great Britain, by Messrs. Gallatin and Rush, last October. Mr. King had been averse to accepting the article, and, indeed, to doing anything further in the business at present. Mr. Otis[1] had been very anxious that the article should be accepted, or at least that attempts should be made to obtain

[1] Harrison Gray Otis, at this time a Senator representing the State of Massachusetts.

such a modification of it as would make it acceptable. He has written me a long letter from New Haven, on his way home from Congress, urging the affair again, and some days since I laid the letter before the President. I now went over to the office, and brought to the President's all the papers relating to the negotiation, with the resolution of the Senate referring a report of their Committee upon the suspended article, and the subject generally, to the Secretary of State. The article, or rather articles, for there are two—one relating to the commerce of the United States with the West Indies, and the other to the intercourse with the North American Colonies—these articles, as presented by the British Plenipotentiaries, would have the effect of leaving the whole intercourse at the discretion of the British Government. We examined and discussed them until we became unanimously convinced of this, and, consequently, that we ought not to accept the British project without considerable modifications. What these should be, we had not time to determine. Mr. Crawford made several proposals, which, upon examination, he himself thought would not be safe or effectual on our part. Finally, the President desired him and Mr. Wirt to meet with me again, and to come to some conclusion, with which he declared he should be satisfied, and directed me to instruct Mr. Rush accordingly. It was about half-past four when the meeting adjourned, and I returned to my office to open the letters by the mail.

The French Minister, Hyde de Neuville, immediately afterwards came in, and told me that he had received dispatches from the new French Minister of Foreign Affairs, the Marquis Dessolles, instructing him to make new and urgent representations on two subjects. One of them was the piratical depredations committed by armed vessels fitted out in the United States, and especially at the port of Baltimore, and sailing under the South American flags; the other was the desertion of seamen from French vessels in the ports of the United States, upon which he has made many and earnest remonstrances before.

As to the piratical privateers, he read me a passage from the Marquis Dessolles's dispatch, stating that the Government of Portugal had presented to the Congress at Aix-la-Chapelle a

memorial complaining in the most energetic manner against these Baltimore privateers, and also against the Governor of the Swedish island of St. Bartholomew's, for shelter, harbor, and encouragement afforded to those same pirates. It further stated that the sovereigns, after entering upon the protocol of their conferences a declaration of their displeasure and indignation at these practices, had agreed that amicable expostulations concerning it should be made to the Swedish Government, and, by the powers who had Ministers at Washington, to that of the United States. He also read me the answer which had been received from Sweden, which was very full of compliments and professions and promises to punish the Governor of St. Bartholomew's. Mr. De Neuville told me that he had a copy of the memorial from the Court of Portugal to the Congress, which was exceedingly energetic. I asked him if he could not show it to me, and he promised that he would.

I told him that as to those piratical privateers, we had them in as great abhorrence as the Congress could have. Our own commerce suffered from them nearly as much as that of any other nation. But it was very notorious that they were fitted out from the ports of other nations as well as from ours, and, besides the repeated laws which had before been enacted in the United States against that description of persons, the Act of the last session of Congress would show the continued solicitude of this Government for the suppression of such offences.

De Neuville asked me if Mr. Bagot had made any representation here, conformably to the entry on the protocol at the Congress. I said, none. He then intimated very broadly that Great Britain had no real aversion to these piracies; that she agreed with the rest, *pro formâ*, at the Congress, but gave herself no further trouble concerning it afterwards. As to the desertion of French sailors, his Government were the more anxious on that subject, because even now, by the French laws, American merchants and masters of vessels enjoyed there the advantage of having all deserting seamen delivered up to them. He was instructed to say that if any obstacle to the establishment of the like principle here arose from a doubt with regard to the certainty of enjoying the reciprocal benefit in France, he

was ready to enter into a formal Convention to that effect. I asked him if he had a full power.

He said he had one for that purpose.

I told him I would immediately submit the question to the President, and give him an answer as soon as possible, and in the mean time asked him to draw up and send to me the form of an article such as he would wish to have adopted; which he promised. I then called again, the third time this day, at the President's, and told him the conversation I had just had with De Neuville. He said, as to the representation against the Baltimore privateers, it was what he had been for some time expecting; one of Mr. Gallatin's late dispatches had given notice that such remonstrances would be made; and he directed me to write to Mr. Glenn, the District Attorney at Baltimore, and urge him to take suitable measures for suppressing this enormous scandal. But this direction was general. The misfortune is not only that this abomination has spread over a large portion of the merchants and of the population of Baltimore, but that it has infected almost every officer of the United States in the place. They are all fanatics of the South American cause. Skinner, the Postmaster, has been indicted for being concerned in the piratical privateers. Glenn, the District Attorney, besides being a weak, incompetent man, has a son said to be concerned in the privateers. McCulloh, the Collector, Crawford says, is a very honest man, but only an enthusiast for the South Americans, and easily duped by knaves, because he thinks all other men as honest as himself. Not long since, Glenn wrote to Crawford that he had been informed all the Inspectors of the Revenue at Baltimore were in the habit of receiving *presents* from the importing merchants; and that, Crawford said, accounted for another fact, namely, that there never was any detection of smugglers at Baltimore. So Crawford wrote very indignant letters both to the Collector and the District Attorney, directing them to take every measure, according to the duties and powers of their respective offices, to bring these offenders to punishment. But Glenn replied that on pressing the persons who had given the information they were unwilling to testify publicly to the facts, and McCulloh answered

that all the Inspectors were perfectly honest men and faithful servants of the public; and there the matter drops.

The District Judge, Houston, and the Circuit Judge, Duval, are both feeble, inefficient men, over whom William Pinkney, employed by all the pirates as their counsel, domineers like a slave-driver over his negroes. After the pirates were indicted last September, and before they were tried, a piece was published in the National Intelligencer, threatening that any judge who should condemn them could not be expected to live long, either as a judge or as a man. The paper containing this piece was sent under a blank cover to Judge Houston just before he opened his Court. He read the paragraph in open Court, blustered about his independence and how impossible it was to intimidate *him*, and then (as well as Judge Duval), Wirt says, was perfectly subservient to whatever Pinkney chose to dictate. Middleton told me that he had seen that threatening piece in the handwriting of Skinner, the Postmaster, one of the parties indicted. When the trials came on, Glenn wrote to me asking to be assisted in the management of the causes. I prevailed upon the President to direct the Attorney-General, Wirt, to assist him; but Wirt considered it as extra-official, and made the public pay him fifteen hundred dollars for losing the causes. The Grand Jury indicted many, and the Petit Jury convicted one man, but every one of the causes fell through upon flaws in Glenn's bills of indictment. The conduct of the Juries proves the real soundness of the public mind. The soldiers are good men and true. But the officers! the commanders! what with want of honesty in some and want of energy in others, the political condition of Baltimore is as rotten as corruption can make it. Now that it has brought the whole body of the European allies upon us in the form of remonstrances, the President is somewhat concerned about it, but he had nothing but directions altogether general to give me concerning it. I must take the brunt of the battle upon myself, and rely upon the justice of the cause.[1] As to De Neuville's

[1] These proceedings in Baltimore formed the staple of much of the argument of the British Government in justification of its own course during the late civil war. It will appear from this passage how little the American Government was disposed to justify them then.

proposal to conclude a Convention upon the single point of seamen deserting from their vessels, the President directed me immediately and positively to decline it. He said there were many objects, all of them far more important, to be adjusted in our commercial relations with France, and the people of this country would be very much dissatisfied if we should go through the formality of making a treaty upon that alone, agreeing to an arrangement the whole benefit of which would be on the side of France, and leaving everything else unsettled. The great object of his concern now, he added, would be the carrying into execution of the new treaty with Spain. He expected its operation would be to strengthen the Administration at home, and to increase the consideration of the country abroad. It would enable us to give the direction to the public sentiment with regard to South American affairs, and to keep our own policy under our own control. I told him I should have no difficulty in giving a satisfactory answer to Mr. De Neuville. I took leave of the President, and it was past seven o'clock when I came home to dinner.

31st. I called this morning at Mr. Crawford's office, to enquire after a list of grants in West Florida which he had at the President's one day when the Spanish Treaty was in discussion, and from which I suppose some useful information may be collected. He promised to send it to me. I next stopped at Mr. Wirt's office, to make some enquiries for Duponceau's translation of one of Bynkershoek's treatises on public laws, which he lent me. They both met at my office at one o'clock, when we took into consideration the articles suspended at the negotiation of the Convention with Great Britain. We examined the article proposed by our own Plenipotentiaries; that finally offered on the British side; the entries concerning them on the protocols; the comments upon them of Gallatin and Rush; the report of the Committee of the Senate; and Otis's letters to me from New Haven. Mr. Gallatin had sent us a statement of the exports and imports of our trade with the British West India Islands in the years 1802, '3, and '4, which was of importance in coming to a result. We discussed the whole subject, without the slightest diversity of views extraneous to the subject,

certainly the most comfortable, perhaps the most useful, but not the most ordinary mode of discussing political questions. There are two objections to the British project of the two articles—one, the restricted list of articles, both of export and import, to which they wish to limit the trade; and the other, the right, which they insist upon reserving, to lay heavier duties upon the same articles imported directly from the United States into the West Indies than when imported indirectly through New Brunswick and Nova Scotia. Mr. Crawford started the question whether we could not propose a certain limit to the excess of duties which they should be allowed to lay on the direct over the indirect importations; but it appeared such a proposal had been offered by our Plenipotentiaries and rejected. We also found, upon examination, that the practicability of carrying such a discrimination would be very doubtful. We agreed to meet again in two or three days, and Mr. Crawford promised to have prepared in the mean time statements of the existing trade with the West Indies in 1816, '17, and '18, similar to those of Mr. Gallatin for the earlier period.

*April* 1st. Commodore Lewis, as he is called, came to the office, to enquire what had been the President's determination upon the question of his accounts. I communicated it to him, unpalatable as I knew it must be to him. This giving of negative answers for the President is among the most painful parts of my duties. I told him that the President had read and considered his letter, but did not feel warranted in departing from the principles on which I had told him his allowance for compensation must be placed. He said that was surprising to him, as he had once engaged his passage and been on the point of embarking, when he received from the Government an order not then to proceed. I assured him this was a fact entirely new, and had not been stated before. I advised him to make a statement of it to the President, and to support it by evidence, in which case I was sure the President would reconsider his decision. With this he departed, in no wise satisfied.

2d. Going to my office this morning, I met Mr. Wirt, the Attorney-General, who told me he was coming there to meet

Crawford and me at one o'clock, and they accordingly came. We first examined a question which has arisen under the Slave-Trade Act of the last session of Congress. It authorizes the President to send to Africa the slaves that may be taken by our armed vessels and brought into the United States, captured in vessels attempting to introduce them in contravention to any of the slave Acts, and also to appoint an Agent or Agents in Africa to receive such slaves. Crawford had seen in the Augusta Chronicle, a Georgia newspaper, an advertisement of thirty or forty slaves, imported contrary to the laws, to be sold for the benefit of the State, according to the provisions of the Acts of Congress and of the State of Georgia before the law of Congress of the last session. Crawford thought that this last Act was retrospective, and that under it the President might send to Africa the slaves thus advertised for sale, although they were imported before the passage of the Act. The President, before he left the city, directed me to write accordingly to the Governor and the District Attorney of Georgia; but being, upon examination of the Act myself, convinced that this course of proceeding would not be warranted by it, I postponed writing the letters, and this day submitted the Act and the question to joint consideration. Mr. Wirt had doubts whether the Act would operate retrospectively in this case or not. Mr. Crawford finally came to the conclusion that it would not, and chiefly upon the suggestion that it would conflict with a vested right of the State. And he finally determined to apply to the Colonization Society to take the affair into their own hands, as he thought they were authorized to do by a late law of the State of Georgia.

As to the suspended article of the Convention with Great Britain, Crawford brought with him the statements of our trade with the British West Indies in the years 1816, '17, and '18, the results of which are not materially different from those of the years 1802, '3, and '4, sent by Mr. Gallatin. After much discussion, without any settled diversity of opinion, we agreed that I should instruct Mr. Rush to prepare to accept the limitation of both the lists of articles as proposed by the British Plenipotentiaries, upon condition that the duties upon imported

articles shall not be higher upon importations direct from the United States than upon those made indirectly through the North American Colonies. We do not expect that these terms will be accepted by the British Government, but they will manifest our continual solicitude for an amicable arrangement, and they are the only terms to which we can safely agree. Crawford said that the effect of our counteracting system could not be fairly tried until we should cut off the intercourse with Bermuda and the Bahamas, which he thought should have been done last winter.

3d. My wife had a large tea-party this evening, but, as there was scarcely any music, and no other occupation, it was dull. Gales, the editor of the National Intelligencer, spoke of a pamphlet circulated by General Scott, containing his correspondence with General Jackson, which sprung from an anonymous letter received by Jackson, whence a quarrel has arisen between them. The day before the President went away, Calhoun had received a letter from Scott signifying to him his intention to effect the publishing this correspondence in a pamphlet, in defiance or by an evasion of an order from the War Department of 21st February, 1818, which prohibited newspaper publications of quarrels between officers of the army. Scott had some time before written to Calhoun manifesting the same intention, and complaining that it was provoked by Jackson, who had shown about among his friends incomplete copies of the correspondence, suppressing one of Scott's letters. Calhoun had answered dissuading the publication, and Scott had replied persevering in his determination. I received by this day's mail a copy of the printed pamphlet, and many others were received here. In the management of this controversy Jackson maintains the Achillean temper—"impiger, iracundus, inexorabilis, acer"—as if he had sat to Homer for his picture. Scott exhibits an unnatural mixture of the soldier and the attorney—quibbling about law and his rights as a citizen; taking ground for refusing to fight Jackson in a duel, and shrinking from it when taken; pleading religious scruples, and then explaining that he was joking; promising not to fight Jackson, and then withdrawing his promise as being made

without consideration; first avowing that he had spoken of an order of Jackson's as mutinous, then making a County Court argument, in a very disrespectful letter to Jackson, to prove it so; and, on receiving a reply like a rattling peal of thunder, affecting to lay it aside for ten days without thinking of it before answering it, and threatening Jackson, with bitter pleasantry, for charging Scott with having slandered him behind his back, when he had never been in his presence. These verbal subterfuges and this casuistical sophistry form the whole characteristic of Scott's letters and comments. He complains bitterly that the contest between him and his adversary is unequal; that Jackson has superior weight, both before the Government and the country; that he has a more numerous staff to copy and circulate his letters, and that he (Scott) cannot even procure franks to relieve him from the expense of postage. Yet, as if he had not enemy enough in Jackson, he hurls, "de gaîté de cœur," a feeble lance of surmise and suspicion at De Witt Clinton, whom he suspects of having produced the quarrel by an anonymous letter to Jackson. The whole pamphlet is weak and inconsiderate.

5th. Mr. Crawford sent me a message this morning requesting me to call at his office. He there read me letters from Mr. Cheves, President of the Bank of the United States, and from General S. Smith, of Baltimore, representing the distressed state of the bank, and of the commerce of the country generally. The bank is so drained of its specie that it is hardly conceivable that they can go to the month of June without stopping payment. The measure which Cheves now represents as indispensable is the refusal to receive in payments for public account the bills of the several branches of the bank at any other branch than that from which they issued. This rule was adopted last August in respect to payments on private account, but has not hitherto been assumed for the public payments. Crawford said that if it should be adopted, the public must also refuse to receive the bills of one branch at another in payment of the duties, and he had some doubts whether this could be done legally. He thought at least there was danger that the merchants whose bonds should become

due might tender payment in the bills of distant branches, and then wait the event of a lawsuit, which would embarrass and delay the receipts of the revenue with great inconvenience to the public. I thought the law would warrant the refusal to receive such bills by the Government, but as to the bank itself, it is not a question of expediency, or even of legality. They cannot make the payments for the bills of one branch at another; nor can they, without calling in two-thirds of the bills that they have in circulation, make even every branch pay its own bills. The state of our currency, circulation, and exchange, connected with Constitutional questions, and the widespread corruption of the numberless State banks throughout the Union, is perilous in the highest degree, and threatens to terminate in a national convulsion. Smith's letter was to urge the necessity of omitting the payment this year of the instalment of the Louisiana debt, which, as it must be made in specie, proves to be among the most distressing drains that have been suffered. Smith, who, as a merchant, is deeply involved in all these difficulties, an enormous speculator in stock of the United States Bank, and an exporter of specie to India by the half-million at a time, writes to Crawford to alarm him for the army establishment, which he argues will certainly be reduced at the next session of Congress—an event which is highly probable.

6th. Mr. Bagot came to read me an extract of a letter that he had received from the British naval commanding officer in the West Indies, informing him of an act of piracy committed by a picaroon from St. Domingo upon an American vessel. Bagot told me also that he had received a letter from Lord Castlereagh, with instructions precisely coinciding with what I had mentioned to him as having been reported by Mr. Rush to have passed at an interview between him and that Minister in relation to the execution of Arbuthnot and Ambrister. Mr. Bagot informed me that he intended, in a week or ten days, to leave the city, expecting to embark at Annapolis, and that a day or two before his departure he should come and present Mr. Antrobus as the Chargé d'Affaires during his absence.

8th. The Portuguese Minister, Abbé or Chevalier Correa de

Serra, came to the office, and took leave for the summer. He is going to spend the first part of it at Philadelphia. He had some time since recommended me to read Barnard Roman's book upon Florida, which he says is in the library of Congress, and he had somewhat mysteriously hinted to me that he had an observation of some importance to make to me on the subject. He this day told me it was that by two excellent sea-ports in islands on the coast of Florida, one of which was Biscayno, opposite the Bahama Islands, and the other Tabona, opposite to the Havanna and to the extreme point of East Florida, the United States would have the complete military command of the passes into the Gulf of Mexico, and consequently of the whole gulf itself. We found Biscayno upon the maps at the office, but Tabona was not laid down upon them by name. The Abbé told me there was a very large map of Florida, taken by order of the Earl of Hillsborough while it was in possession of the English. He added that Europe would not so much as have a suspicion of the acquisition of power obtained by the United States in this late treaty with Spain. In his opinion it was the complement both to the treaty of recognized independence, of 1782, and to the treaty purchasing Louisiana of France, in 1803. The Abbé Correa is a man of extensive and general literature, of profound science, of brilliant wit, and of inexhaustible powers of conversation. He is so much of a philosopher as to have incurred the vindictive pursuit of the Inquisition, and to have obtained the friendship and patronage of my old friend Araujo, the late Count de Barca, by whom he was appointed to the mission here. He is insinuating and fascinating in his manners and deportment, and, though sixty-eight years of age, as lively as if he were but twenty-five. His temper, however, is not remarkable for equanimity: it is quick, sensitive, fractious, hasty, and, when excited, obstinate. Yet he is timid and easily cast down. An attack upon him last spring, in some of our newspapers, drove him almost into a fit of melancholy madness, and he hurried off to Norfolk, where lived the only physician in whom he had confidence. He lived that winter with Robert Walsh, and the general rumor is that they parted

not so good friends as they had met. The Abbé's diplomatic ability consists principally in affecting to be anything but a diplomat. He introduces himself as a familiar acquaintance, to talk literature and philosophy, as a domestic inmate, to gossip over a cup of tea. Mr. Monroe saw through this, but, having no relish for literature and philosophy, and no time to listen and laugh at jokes, he always kept the Abbé, as it was and is his principle to keep all the foreign Ministers, at arm's length. Mr. Madison and Mr. Jefferson always received and encouraged the Abbé's social visits, and I have done the same, always avoiding any distinction between him and any others of the foreign Ministers. There is one difference in the correspondence of all the foreign Ministers here from that which is usual in Europe—they write letters instead of notes, in the first person instead of the third. The effect of this difference upon style is greater than any one not habituated to both modes would imagine. The third person, "The undersigned," is stiff, cold, formal, and dignified; it is negotiation in Court dress, bag wig, sword by side, chapeau de bras, white silk stockings, and patent shoe-buckles. Letters in the first person are negotiation in frock-coat, pantaloons, half-boots, and a round hat. Another difference is, that we here always use our own language. Onis, in return, always writes, even to the most trivial note of compliment, in Spanish. Bagot, of course, writes in English, and the other foreign Ministers, excepting Correa, write in French: he always writes in English, and, writing it, though very well for a foreigner, very incorrectly, if, as may very probably happen, any part of his correspondence should be communicated to Congress and published, it will subject him to mortification.

I was employed great part of this day in revising for publication in the National Intelligencer a translation made by Robert Brent, Jr., of a Spanish Royal Order of 14th January last, prescribing capital punishment without remission against all foreigners taken in arms with the South American insurgents or furnishing to them warlike supplies—an order upon which comment will be necessary.

9th. *Good Friday.*—The Chevalier de Onis, the Spanish Min-

ister, came and took leave at my house. He is going to spend a fortnight or three weeks at Philadelphia, thence to New York, and embarks in May with his family, intending to return to Spain. I told him I had heard there were Americans interested in the annulled grants to Alagon, Puñon Rostro, and Vargas. He said he believed Mr. Hackley and Mr. Meade were interested. They had applied to the Duke of Alagon to purchase one-third of his grant, but he had refused selling—they had been more successful with the others. I asked him whether he had any reason to suppose the Marquis of Casa Yrujo was interested in the grants. He said he did not know; he should not be surprised if he had. The Marquis, he knew, had an old grant in West Florida—the part of which we are already in possession; but his grant was of 1804 or 1805. "For myself," said Onis, "I never would have anything to do with them." A denial again, more explicit even than the last. I suspend my judgment. I spoke of the King's order of 14th January, declaring death irremissible for the punishment of foreigners joining the South American insurgents, and told him I hoped he would get it revoked. He said he should be glad if he could. Not that there could be any question as to the correctness of the principle; but he never was a friend to the multiplication of sanguinary punishments, and he thought it in this case too late. There were few, very few, who could suffer under it, and it might provoke to retaliation. He said he had letters from Madrid to the 15th of February, which mentioned nothing of the removal, actual or intended, of Casa Yrujo. He spoke of the death of Charles the Fourth, which happened only a fortnight after that of his wife. His grief at the loss of her brought on a fit of the gout, which killed him. "A most extraordinary example," said Onis, "of the ascendency which a wicked and worthless woman can acquire and maintain over a weak, good-hearted man. That woman," said Onis, "and her Prince of the Peace, were the cause of all the misfortunes of Spain. They brought things to such a pass that the King actually, voluntarily, and most sincerely abdicated the Crown; and yet she afterwards prevailed upon him to sign a declaration that this abdication had been extorted from him by compulsion." Onis

goes to Spain to take his daughter, Madame de Heredia, to her husband, for, according to the Spanish custom, she was married by proxy, and has never seen her husband since she has borne his name. He was formerly here as Secretary to the Legation, but went to Spain before the marriage, and has never returned. Onis says he has also private affairs of his own that will require his attention perhaps for a year, after which he will return here, unless he should be placed elsewhere. I part from Onis with regret, though he has more of diplomatic *trickery* in his character than any other of the foreign Ministers now here. My transactions with him have been infinitely more important than with any of the others—more important, indeed, than any others in which I ever was engaged. The review of them is an inexhaustible source of gratitude, mingled with some portion of self-humiliation. Onis spoke again to-day of the conduct of the Spanish commanding officers in Florida, and said that he gave up entirely Luengo, who had certainly been culpable, but Mazot, the Governor of Pensacola, he thought had done nothing more than his duty, and would have deserved to be shot if he had not resisted Jackson as he did. And, he was sorry to say, the poor man had been so much overcome by his misfortunes that he had lost his senses and gone mad. The troops who took possession of Pensacola on the 8th of February last were commanded by a Major-General. Onis leaves the city on Sunday morning. As I was going to my office, I met Mr. Hyde de Neuville, and reminded him of his promise to show me the memorial of the Portuguese Minister to the Congress at Aix-la-Chapelle upon the piracies. He renewed his promise to bring it to me.

12th. De Neuville afterwards himself came to the office, and brought me the note of Count Palmella, the Portuguese Minister, to the Congress at Aix-la-Chapelle on the piratical privateers. He left it with me, and gave me permission to have a copy of it taken. I read to him the letters I had written to Glenn, the District Attorney at Baltimore, directing him to examine the evidence, and commence prosecutions in every case where it will be sufficient for conviction. He declared himself entirely satisfied with this, but asked me to write him an answer to his

notes on the captures of French property, that he might transmit to his Government. He intimated to me that his principal motive for dispatching Bourqueney now to France was to give his Government further and more complete expositions relative to the eighth article of our late treaty with Spain, and to induce them to interpose by direct influence upon Spain to prevent her making any question upon that article in relation to the grants; particularly to state with detail the evidence which he has repeatedly told me that he had from Onis during the negotiation, that the Spanish Government itself knew the grants were null and void. And he told me he should be glad if I would write to Mr. Gallatin concerning it, that, if necessary, he might consult with the French Government about it. I promised him that I would.

De Neuville's great earnestness upon this affair may be ascribed to various motives,—some highly honorable and generous, others more partaking of those virtues that begin at home. 1. To a sense of pure justice and unsullied honor; knowing the professed intention and clear understanding on both sides that no error committed or deception attempted by Onis should have any possible effect to defeat it. 2. To vindicate his own integrity in the transaction, that article having been most particularly discussed between him and me, and the principles settled between us, that bona fide settlers should not be molested, even though with grants not entirely regular, but that no fraudulent grants should be confirmed. 3. To strengthen his interest with his own Government by interesting that of the United States in his favor, which he cannot fail to do by bearing testimony decisively for them upon a point of considerable importance. 4. To make a merit hereafter for himself or his Government of the part he takes in this affair, as having rendered essential service to the United States, and acquiring claims to favor in return; and, 5. Finally, to make himself important, and have an agency in the transaction which may add to his individual or political consequence. There is very probably a mixture of all these ingredients in his impulses, and I am willing to believe that the pure and disinterested portion of them predominates in a scale adjusted by the standard

of their comparative excellence. De Neuville is not a profound or gigantic genius, but he is a fair and honorable man. He says he does not expect to go for France himself before July.

13th. Mr. George Hay came to the office, and brought with him a copy of the correspondence between General Scott and the Secretary at War immediately before Scott's publication of his correspondence with General Jackson. Mr. Hay said the President had been greatly concerned at this publication, chiefly from regard for Scott himself, and an apprehension that it would injure his reputation. The very day before he left this city, the President had written a private letter to General Scott, earnestly dissuading him from the publication; but it was too late. And, as it was probable the President on his present tour would meet with General Jackson, the question had occurred to him whether he ought to make any difference in his treatment of Jackson in consequence of anything contained in the publication. He had requested him to give him his opinion, and to call upon me for mine. I told him that I saw nothing in Scott's publication which ought to affect the President's public conduct towards Jackson. I thought Scott had put himself in the wrong by the publication. I was sorry for it, having a personal regard for Scott, and a high sense of his public services. But I thought he had treated the Secretary of War, and even the President, with little delicacy, to say the least, by the publication, and by the comments of which it in part consists. I thought the principle unsound which he had assumed—that, although holding a commission as a military officer, he had the same right as any private citizen to utter his opinions of praise or blame upon the measures of his superior officer, of the War Department, and of the President. His charge, too, against the Governor of New York, avowedly upon mere suspicion, and by his own statement resting upon evidence excessively slender, and altogether unjustifiable, with Clinton's flat and positive denial, puts Scott himself in the most awkward predicament possible—that of having himself violated the confidence of private conversation at a dinner-table, which was one of the most odious features of what he

suspected in Clinton. For if Clinton had no concern with or knowledge of the anonymous letter, it is Scott himself who betrays the private conversation of Clinton, and most unjustifiably brings him into a collision, or into the necessity of giving an explanation to Jackson. Clinton's declaration upon this point is evidently equivocal and embarrassed. Instead of admitting or denying what Scott declares him to have said, he says it is not *probable* he can recollect the conversation, but is confident he said nothing disrespectful of Jackson. This is shuffling and evasive. What had probability or improbability to do with the question whether Mr. Clinton did or did not recollect the conversation alleged by Scott? To Clinton himself it was not a question of probability, but of consciousness. But what right had Scott to divulge the conversation? Altogether, it appeared to me that Scott had made out for himself a very bad case. If Jackson, by showing about the correspondence in manuscript, had violated the order of 21st February, 1818 (which it was my opinion he had not), the only notice the President could take of it was to have him arrested and tried by a Court-martial. If he did not think that proper, I thought he should take no public notice to him of anything appearing from Scott's publication. Mr. Hay said this entirely concurred with what he had already written to the President. He thought Scott had irretrievably disgraced himself. Both Clinton and Pell had treated him with inexpressible contempt, yet he could not call out either of them, and, if he did, neither of them would be obliged to fight him. The truth was, Scott's vanity was leading him to his ruin. He could not bear to see Jackson engrossing so much of the public notice not only of this country but of the world. He was determined to be talked about too. His attack upon Clinton was unaccountable. It was strange he had not perceived that he was making himself chargeable with the very offence of which he so lightly accused Clinton. He had been very ill advised. Clinton's declaration was, indeed, greatly liable to criticism. It was no declaration at all. He says he *thinks proper* to declare, but does not declare. However, as the President was very anxious on this subject, he wished I would write him a line by

to-morrow's mail and give him my opinion concerning it. I promised him I would.

14th. Mr. Bagot, the British Minister, came and took leave, and presented Mr. Crawford Antrobus as Chargé d'Affaires during his absence. Bagot goes the day after to-morrow to Annapolis, with his family, expecting there the Forth frigate, in which they are to embark for England. As this was in all probability the last time I shall ever see him, and as he is returning immediately to his Government, I took the opportunity to have a long conversation with him, reviewing all the principal subjects of discussion between the two Governments which yet remain unsettled. Antrobus soon left us. There were two or three affairs of individuals upon which Mr. Bagot has made representations, and upon which he has not received definitive answers. The chief of them is upon a claim of a British subject named George Clarke for certain lands in the State of Vermont, by virtue of a grant from the Governor of New York in the year 1739. The claim involves the old controversy between New York, New Hampshire, and Vermont. Clarke's grant was annulled by the final compromise between the States of New York and Vermont. He now claims restitution or indemnity, under the sixth article of the Treaty of Peace of 1783, and the ninth of the Treaty of 1794. I told Mr. Bagot that the subject would be fully considered, but I apprehended that neither of the treaties had any bearing upon it; the article in the Treaty of Peace referring only to estates confiscated or sequestered during the Revolutionary War for political causes, and that in the Treaty of 1794 only to the titles of those who then held lands in the United States—neither of which cases applied to the claim of Clarke. He said all he had to ask was that the claim should be fairly examined and an answer upon it given. On affairs of more general interest, I asked him if he had received instructions to make any representations here on the piratical depredations of privateers fitted out in our ports and sailing under South American flags. He had none, and no dispatches from Lord Castlereagh since January. I then mentioned to him the Portuguese Memorial to the Congress at Aix-la-Chapelle, and the final entry upon the protocol, that

representations should be made to this Government by the Ministers of the powers having Ministers at Washington. I told him that these representations had been made by the French Minister, and were expected from the Prussian Minister, and from the Russian Minister when he arrives. As it was probable instructions from England to him were on the way, and might cross him on his passage, I would advert to the facts that the substance of the Neutrality Act of 3d March, 1817, had been re-enacted and made permanent in 1818, and that an additional Act against piracy had been made at the late session of Congress. I wished him to refer to these, in reporting to his Government, as proofs of the earnestness with which we were desirous of applying all suitable means for the suppression of this irregular privateering from our ports. He said he would not fail to do it, and had an entire conviction that such were the views of the American Government: it was indeed apparent that those pirates annoyed the commerce of the United States as much as that of other nations. I told him that this subject naturally led to that of the contest between Spain and the South Americans, which was connected with it, and I recurred to the difference of views between the United States and the European allied powers with regard to the termination of that conflict. From Mr. Rush's report of a late interview between Lord Castlereagh and him, it appears that the British Government still adhere to the expectation that the Spanish sovereignty in South America will be restored. Our view of the subject is different. We believe the Spanish power there to be extinct, and that it is not in human power to restore it. We have now no interest of our own to have this event precipitated; we acquiesce in the determination of the European allies, to wait some time longer for the catastrophe. Spain has rejected the interposition of the allies, which she had solicited, and now undertakes to reduce the Colonies herself. The event must ere long be seen. We think it impossible that Spain should recover her supremacy, and we think there is a moral obligation which at no distant day will make it the duty of other nations to recognize Buenos Ayres, Venezuela, and Chili as independent States. The period

when this obligation will become imperative may be more or less distant, but it is constantly approaching, and cannot now be remote. We have already been prepared for the acknowledgment of Buenos Ayres, but we have avoided interfering with the policy of the allies, and we have proposed to all the great powers to make the act of acknowledgment in concert with them. We have made known explicitly to them our principles. Circumstances may arise which we shall consider as decisive to induce the recognition of Buenos Ayres; but, if they should, it will be only a formality, for the purpose of having regular Agents there, and receiving them from them, but without intending to take their part in the war, and without stipulating or accepting any special favors to ourselves. He said he thought with me it was very probable they would ultimately prevail in the struggle for independence against Spain, but whether they would be competent to establish permanent governments for themselves he thought more doubtful. He should, however, exactly report my observations to his Government.

I then said there was another subject upon which I was glad to have some explanation with him at this time. I meant the slave-trade. Lord Castlereagh had communicated through Mr. Rush the treaties concluded with Spain and the Netherlands, by which the armed vessels of either power were authorized to cruise for, search, and capture the slave-trading vessels under the flag of the other, and take them for adjudication before a joint Court, composed of Judges of both nations, holding their Courts in the Colonies or possessions of both in Africa. And Lord Castlereagh had proposed that the United States should enter into similar arrangements with Great Britain. These Mr. Rush had been instructed to decline, for two reasons, each of which would have been decisive if alone. One was, that the United States, having no Colony or possession in Africa, had no territory where the joint Court could hold their sessions, and the other, that the Constitution of the United States admitted no appointment of Judges who would not be amenable to impeachment by the House of Representatives and before the Senate. There was a third reason which had been men-

tioned to Mr. Rush, but which he had not been desired to urge, if the others should appear to be entirely satisfactory to the British Government; perhaps he had not mentioned it to Lord Castlereagh, to whom he had very fully disclosed the others. But by a late dispatch from him I had heard that Mr. Wilberforce had been holding conferences with him, pressing the subject upon him with great earnestness, and complaining that our resistance to the principle of admitting the mutual right of search by the armed vessels of either party of the merchant vessels of the other had set the example to others, and encouraged France particularly to the same resistance. We took no exception to these discussions between our Minister and Mr. Wilberforce, whom we understand to be, by the common consent of the British Cabinet, himself a sort of Minister of State upon slave-trade affairs. He had held such a conference with me a day or two before I left London to come home. He had then proposed to me this system of mutual search and common Courts, with great earnestness, and I then had explicitly stated to him what I apprehended would be an insurmountable objection against it to the United States. But, as he now appeared to be reverting to the same project with increasing rather than diminished zeal, I thought it well to come directly to the point of our difficulty by stating it in all its force to the British Cabinet. It was my opinion, and I could now give it as that of the President and of all his official advisers, that the United States ought on no consideration whatever to listen to any proposal for admitting a right of search in their merchant vessels by the commanders of foreign armed vessels so long as the question remains open between them and Great Britain concerning impressment for men. As we had no wish to stir this question unnecessarily, or to awaken the feelings connected with it, when it can be avoided, we had scarcely mentioned it in regular communications to the British Government; but now, and it might perhaps be best in this informal manner, I could assure him that this objection would be quite as insuperable as either of the others, but that it proceeded from no aversion in us to co-operate to the utmost extent of our power in accomplishing the abolition of the slave-trade. Congress had

furnished a new and signal proof by an Act passed at the last session, in addition to those already existing, and with which I presumed he was well acquainted.

He said he had already noticed it in his dispatches, and transmitted a copy of it; that he could not be surprised at the reluctance which must be felt here against any engagement admitting a right of search in time of peace, while that of impressment in time of war remained unsettled. He should faithfully report to his Government the substance of all that I had said to him, and was himself impressed with an entire conviction of the sincerity and earnestness with which the Government of the United States were on their part pursuing the abolition of the traffic in slaves. He then observed that he had received from Lord Castlereagh the instruction which he had read to Mr. Rush, in relation to the course which the British Government had determined to pursue concerning the execution by General Jackson of the two British subjects, Arbuthnot and Ambrister. If I desired it, he would communicate that dispatch to me, but the substance of it was precisely the same as I had mentioned to him; that it had been reported by Mr. Rush; that it would add nothing to his communication; and the whole subject was so painful to him that he should be happy to have nothing more to say about it and to dismiss it forever.

I told him that I should readily leave it at his discretion whether to communicate Lord Castlereagh's instruction or not. In the last dispatch I had received from Mr. Rush he had reported an interview at which Lord Castlereagh had told him that the British Government would make no remonstrance against the Spanish Royal Order of 14th January last, for putting to death all foreigners taken in arms with the insurgents or supplying them with munitions of war. He told Rush that France had been much affected by that order, but the British Government would take no notice of it. If their subjects would join the South Americans, they must abide by all the consequences. Great Britain would no more interfere for them than for Arbuthnot and Ambrister.

I told Bagot that there was a great distinction between the cases. The struggle between Spain and her Colonies had been

recognized by us, as well as by Great Britain, as a civil war, in which the colonists had the usual rights of civilized belligerent nations. They were not subject to the rules of savage warfare, nor was it usual for foreigners taking part with them to be put to death. Besides which, there were great numbers of foreigners —thousands even of English—enlisted with the South Americans. Executions lose their effect of terror and example when inflicted upon great numbers and without discrimination; and if this order should really be carried into effect against many of the English in South America, it would be difficult for the British Government to avoid taking some notice of it.

He said he supposed it was concluded that the order could not be carried into execution, and besides, as the English who had joined the South Americans were all of the class of people who were the most inveterate opposers and enemies of their own Government at home, that Government could not be expected to take much interest in their favor. It was a foolish order on the part of Spain, but the British Government were not bound to protect their subjects who engaged with the insurgents.

I finally told Mr. Bagot that as the President felt the highest gratification at the general good understanding now subsisting between the United States and Great Britain, so I hoped he would give Lord Castlereagh the fullest assurance of our earnest desire to promote and cultivate that good understanding to the utmost.

He said he should take the greatest pleasure in performing this duty, as he knew that nothing could be more gratifying to his own Government. He thanked me for the facilities which I had always given him in transacting business, and we parted with the most friendly expressions of personal cordiality and mutual good wishes.

Mr. Bagot is a younger brother of Lord Bagot, a Peer of Great Britain; and his wife, a very discreet, amiable, and lovely woman, is daughter of Mr. William Wellesley Pole, Master of the Mint, and brother to the Duke of Wellington. Bagot is about thirty-five, tall, well proportioned, and with a remarkably handsome face; perfectly well-bred, and of dignified and

gentlemanly deportment. The principal feature of his character is discretion, one of the most indispensable qualities of a good negotiator; but neither his intellectual powers nor his acquisitions are in any degree striking. His temper is serious, but cheerful. He has no depth of dissimulation, though enough to suppress his feelings when it is for his interest to conceal them. He has resided here three years, and, though coming immediately after a war in which the national feelings here were highly exasperated against his country, has made himself universally acceptable. No English Minister has ever been so popular; and the mediocrity of his talents has been one of the principal causes of his success. This is so obvious that it has staggered my belief in the universality of the maxim that men of the greatest talents ought to be sought out for diplomatic missions. Bagot has been a better Minister than a much abler man would have been: better for the interest of England —better for the tranquillity of this country—better for the harmony between the two nations, for his own quiet, and for the comfort of those with whom he has had official intercourse here. For a negotiation that would require great energy of mind, activity of research, or fertility of expedients, such a man would not be competent; but to go through the ordinary routine of business and the common intercourse of society, to neutralize fretful passions and soothe prejudices, a man of good breeding, inoffensive manners, and courteous deportment is nearer to the true diplomatic standard than one with the genius of Shakspeare, the learning of Bentley, the philosophical penetration of Berkeley, or the wit of Swift.

16th. Mr. J. J. Appleton, Secretary of the Legation to Rio de Janeiro, came and took leave. He goes to-morrow to Baltimore to make preparations for Mr. Graham and for himself. They are to sail from Annapolis, but their necessary sea-stores and provisions must be procured at Baltimore. I asked Mr. Appleton to see Glenn, the District Attorney, and converse with him upon the subject of the letter I wrote him last week, and also to collect and report to me any other information concerning the piratical privateers from that place. I commenced preparing instructions for Mr. Graham; but the state of our

affairs with the Portuguese Government at Rio de Janeiro has been entangled in such a snarl by mismanagement and neglect that suitable instructions cannot be given without a review of our political and commercial relations, both with Brazil and Portugal, for the last ten years. For this it is impossible for me to find time. I have indeed found by experience that the preparation of instructions for a Minister going out on a foreign mission is one of the most arduous and difficult duties of a Secretary of State. It requires a knowledge of all the important political and commercial relations subsisting between the two countries; a reference to all the transactions depending between them; a speculative foresight of measures to be recommended to the Minister calculated to promote the interests of his own country, and its friendship and good understanding with that to which he is going; a mind fertile in expedients to suggest useful hints to the Minister. I have never yet prepared instructions for a Minister without feeling my deficiency in almost all these particulars—without seeing how much more usefully I could discharge my duties to the public with more profound and extensive knowledge, a quicker and clearer conception, and a more inventive imagination. Our relations with Portugal and Brazil have not been well cultivated. Their importance has not been duly estimated. The Minister, who has been there these ten years, was not a fortunate choice.[1] His own temper is not happy. He has been repeatedly involved in quarrels of personal punctilio, even with the members of the royal family. He is excessively argumentative, and spins out everything into discussion without ever bringing anything to a close. Many occurrences excessively untoward have happened also, not imputable to him, but which have placed him in situations of great embarrassment, while they implicated more or less the harmony between the two countries. Then these Baltimore piracies, which the Government have not been able effectually to suppress, have exasperated both the people and Government against the United States; and some arbitrary

[1] Thomas Sumter, Jr., nominated by Mr. Madison as Minister Plenipotentiary to Rio Janeiro on the 6th of March, 1809, and confirmed by the Senate on the next day.

seizures and oppressive imprisonments of American citizens, on the other side, have produced so much ill blood between the two countries that it has festered into all but actual hostility. Such are the circumstances under which Mr. Graham is going out as Minister to Rio de Janeiro, and for which I am to prepare his instructions. To cool down all this inflammation, to turn all this wormwood into balm, to reconcile the two Governments and nations to each other, and to place their commercial relations with each other upon a footing of reciprocity and equality, are objects important to this country, and ought to be those of Mr. Graham's mission. To prepare his instructions, therefore, I want much time, and shall have very little. I found I could make no progress in them this day.

18th. The President of the Bank of the United States, Langdon Cheves, arrived in the city the evening before last, and this day left it upon his return to Philadelphia. His appearance here has given rise to various rumors and surmises. Its real cause is the tottering situation of the bank, which will very shortly be reduced to the alternative of calling in all its notes and trading on those of other banks or of stopping payment.

19th. At the office, I was collecting the materials for preparing instructions for Mr. John Graham, when he came in himself, and I had a conversation with him of two hours, partly upon the public concerns of his mission and partly upon his personal relations with it. Mr. Graham is in many respects well qualified for this mission. He is prudent and industrious, and, having been Chief Clerk in the Department of State during the whole of Mr. Madison's administration, has much experience of our diplomatic affairs generally. He appears, however, to have formed an idea of responsibility somewhat timid. He wishes to have everything prescribed to him in his instructions with a minuteness and precision hardly attainable, and is quite alarmed at the representation that I have made to him of the state of our relations with the Brazilian Government. He says he has had a conversation upon the subject with the Abbé Correa, and he has apprehensions that Correa's reports to his own Government have a tendency

to inflame their animosity against this country, though he assured him of the contrary. I suppose that the Abbé does not intend they should, but they may have that effect by the statements of facts which his duty requires him to make. I told Graham that our difficulties with the Portuguese were owing partly to circumstances which may be remedied, and partly to causes originating with themselves, and which we cannot remove. With regard to the privateers illegally fitted out in our ports, we have taken, and shall continue to take, every measure in our power to suppress them. I mentioned the letter I had written to the District Attorney at Baltimore, and the request I had made to Mr. Appleton to call upon him there and to collect and report information upon the subject. I gave him for his perusal the copy of the Memoir presented by Count Palmella to the Congress of Aix-la-Chapelle, and the last note of the Abbé Correa to me, in both of which there is a demand that all armed vessels sailing under the flag and commissions from Artigas should be declared pirates. I observed that the European allies had not complied with this request, neither could we, for reasons which I gave him at large, and which will be set forth in his instructions.

He said it was impossible, he feared, to give satisfaction to the Portuguese Government on this point. But we must give them sound reasons for the principles we assume, do them justice wherein their complaints are well founded, but adhere to it also when it operates against them. We must trust to the healing virtue of justice and friendly intentions. If these fail to restore harmony, the fault will not be ours, and more we cannot do. Graham spoke to me also about his personal concerns as connected with the mission—the expenses of the voyage, and the allowances for contingent expenses there. This is a very troublesome part of the arrangements to be made with all the Ministers that go abroad. The account for contingencies has a perpetual tendency to increase. The general rule for the commencement of salaries is from the time when the Minister leaves home to proceed upon his mission. But the exceptions, which are, in fact, taking place of the rule,

allow the salary to commence from the time of the appointment. It has been so in the cases of Rush, Campbell, and Forsyth; and Graham now claims the same. He says that he kept his establishment here only from the expectation which had been given him of receiving this appointment, which was offered him at the time when he went to South America, and that he has scarcely ceased being in the public service. He also claims an allowance for office-rent. This allowance was first made to me at London, where an office was indispensable, and where I actually had one. It was consequently allowed to Mr. Rush. It is now claimed by Mr. Gallatin, at Paris, and Mr. Campbell, at St. Petersburg, on the ground that they appropriate a room in their houses for an office, and that it makes them want a larger house and pay higher rent than would otherwise be necessary. Graham says that at Rio de Janeiro it is impossible to live in the city. There are no inhabitable houses there. Mr. Sumter lives two or three miles out of it, and has not a glass window in his house. They dined with him one day, and a shower of rain came and drove them from their seats at the dinner-table. Living in the country, it will be necessary to have an office in the city, and the expense of living and of everything at Rio de Janeiro is very exorbitant. He also enquired whether, under the allowance for newspapers, he could not charge for one or two English newspapers. This I answered decidedly in the negative, and as to the other claims, told him they must wait for the decision of the President. He complained of the expenses of the voyage, and enquired if, under the obligation of providing his own stores, he could not make use of the common ship's stores for his family. I said I believed not. He asked what the usual arrangement was, with respect to the Ministers' stores, with the captains of the public ships. I told him I had never been in a public ship since our Revolutionary War, but that when I went to Russia, in 1809, the Essex frigate had been ordered round to Boston to take me and my family, though she did not reach Boston till the day after I had sailed; and on that occasion he (Graham) himself had written to me that the usage was for the captain of the ship to provide all the stores,

and for the Minister to pay the captain the common price which a passage would cost in a merchant vessel.

He said that if he had written me such a letter it must have been under instructions; that they had endeavored to introduce this as a usage, but it never had been so established. He had been desirous that Captain Henley should provide his stores for him, and had written requesting him to that effect, but he had declined. I asked him when he could be ready to go, as the frigate is now ready at Annapolis and waiting for him. He said he could be ready on Thursday, but would be glad to have two or three days longer for preparation. I told him I should probably not be ready with his instructions before the last of the week, and asked him to call at the office again on Thursday, when I should perhaps have an answer from Glenn. He promised to come, and said he would be glad if the instructions should then be ready, to read them over with me.

20th. I received a message this morning from Mr. Crawford, requesting me to call at his office as I should be going to mine. I called accordingly, and he mentioned to me that Mr. Cheves, the President of the United States Bank, had been here. He came on Friday evening, and left the city on Sunday, to return. He had been here ostensibly to make some arrangement with the Bank of Columbia, but really for a consultation with him upon the affairs of the bank. He brought the resolution adopted unanimously by the Directors on the 12th, to decline receiving even for public payment the bills of their branches except at the places where they are made payable, but offering otherwise any facilities for making the necessary remittances from branch to branch. Crawford said they had taken the legal opinions of Mr. Binney, at Philadelphia, and Mr. Pinkney, at Baltimore, on the question whether *the Government* was bound to receive in payment of duties the bills at one branch which are issued and on their face made payable at another. The opinion was that they were. Crawford added that his own opinion, and that of the Attorney-General, Wirt, was the same. The question is upon the Act of Congress of 10th April, 1816, incorporating the Bank of the United States

—the fourteenth section. I had given a different opinion at the last conversation with Crawford, and, although very much staggered by that of four eminent lawyers to the contrary, I still cling to my own. But Crawford is apprehensive not only that the refusal to receive the bills would excite clamors against the Government, but that the merchants would tender the bills, and, if refused, wait the issue of a lawsuit, which would delay the collection of the revenue more than the present state of the Treasury can bear. But, he said, the merchants east of Philadelphia, where only this pressure is felt, were now in the habit of paying their bonds for duties in the bills of distant branches and then demanding specie for debentures on the goods of the same importation. He thought he could stop this by the eightieth section of the collection law of 2d March, 1799, which authorizes the payment of the debentures out of the proceeds of duties arising on the importation of the goods re-exported. He said even this would raise a clamor, and Mr. Jones, his chief clerk, had advised him to say nothing about it, and leave it to be battled out between the Collectors and the merchants. But even in that case the question would ultimately be referred to him by the Collector, and he should be obliged to decide it. He thought it, therefore, most candid and prudent to give at once his directions to the Collectors, and he read me the letters he had written. He then observed that Mr. Cheves had been desirous of seeing me, but he (Crawford) had been unwell, and could not come with him to introduce him to me, and Cheves was obliged to go away on Sunday. The bank were desirous of making a contract with the Spanish Government for transporting specie for them from Mexico to Spain. They were disposed to appoint Mr. Forsyth as their agent to transact this business for them, and wished to know whether there would be any objection to it on the part of this Government.

I told him I did not know that there could be any objection, if Mr. Forsyth would do the business without compensation. But if he was to be paid, it would be liable to two difficulties: it would give dissatisfaction to the public that a Minister of the United States should at the same time be an agent of the

bank, and it would give discontent to our other Ministers in Europe, who would immediately compare their own scanty compensations with the double wages received by Mr. Forsyth.

He said the idea of the bank only was that Forsyth should make the proposal to the Spanish Government, and, if they accepted it, that the arrangements for the execution should be settled with the Chargé d'Affaires of Spain here. There was also another object that they had in view. They wanted to make an arrangement for postponing the payment of the second half of the Louisiana stock, which, if accomplished, must be done in the form of a loan. They had proposed to employ for that purpose Mr. Sheldon, the Secretary of the Legation at Paris, and to request him to go to Amsterdam and London to make the agreement with the bankers at those places who hold or have the management of the stock. But this of course implied that Sheldon should be paid a liberal compensation. I told him that I should be very sorry to deprive either Sheldon or Forsyth of any fair and honorable profit, but there appeared to me the same objection, though not to the same extent, in this case as in that of Forsyth. He said he thought I was right; that Mr. Cheves had proposed to him that Mr. Lowndes, who is gone to Europe, should be employed to negotiate this new loan, but to that he (Crawford) had objected. Lowndes was the Atlas upon whom alone the support of the bank rested in Congress. He had been its only disinterested defender in the House of Representatives at the last session. The attack upon the bank would undoubtedly be renewed in the next Congress. It was essential, therefore, that Lowndes should remain unconnected by personal interest with the bank, that the weight of his influence in its favor may remain unimpaired.

I asked him what necessity there was for the bank to employ any special agent for this transaction; why they could not do it by direct correspondence with the bankers.

He said, because it was so late they would scarcely have time.

I told him I had acted myself on the principle of declining any compensation for a private agency while I was abroad in the public service, and mentioned the case of Mr. Fulton's application for a steamboat privilege in Russia.

Crawford said he thought the principle correct, though Mr. William Pinkney had been agent for the State of Maryland when he was a Commissioner in England.

I said I saw no impropriety in that, as there could be no collision between the duties of the two offices, and there was no disparity of consideration between them. But it was impossible to be in Europe at once a public Minister and an exchange broker or private agent with percentage commissions, without injury to the dignity and decorum of the public service. I had been told that Mr. Pinkney, upon his last mission to Naples, was to have received from the merchants whose claims he was sent to assert and negotiate for, a percentage upon the whole amount that he might have obtained. So I had heard at the time of the mission. I had then thought and still think it improper.

He said he thought it very improper, and had thought so when first informed of it; that the mission to Naples was at the first nomination rejected, and soon afterwards he called one morning upon President Madison, who told him he was going to do something the propriety of which he himself doubted—to renominate Pinkney for the mission to Naples. "I suppose," said Crawford, "you have some new and additional information." "No. But some of the Senators who voted against the appointment have changed their minds, and pressingly urge a new nomination." The fact, Crawford said, was, that the federal merchants at Baltimore, interested in the claims, had had a meeting, and sent a remonstrance to the Maryland Senators, informing them that the expense of maintaining the federal ascendency in Baltimore and Maryland had fallen upon them, and that if their interests were sacrificed by the rejection of the mission to Naples they would no longer support that expense, and the federal party in Maryland must sink. Crawford said that when the vote on the second nomination of Pinkney was taken in the Senate, Harper, then one of the Senators from Maryland, was absent, but the vote was turned by Goldsborough, the other Maryland Senator, and Fromentin, who, though a Senator from Louisiana, had long resided at Baltimore, and might almost be considered as belonging there. And so the appointment was made, which proved a worse than useless one in its results.

24th. Called on Mr. Crawford at his office. He had a letter from Mr. Cheves, the President of the bank, since his return to Philadelphia. The Directors had resolved to employ Mr. D. Sheldon to negotiate the re-loan of the remaining Louisiana stock. They passed the resolution before receiving Mr. Crawford's letter, written in consequence of my last conversation with him, stating that the propriety of appointing him for that agency was doubtful. He asked me now, as the appointment had been made, whether it would be necessary to insist upon its being revoked, or whether it might be allowed on condition that only Sheldon's expenses in negotiating the business should be paid, or with the allowance of a further compensation.

I told Mr. Crawford that I did not think it necessary to persist in objecting to the employment of Sheldon for this affair. The principal objection in my mind had been to the blending the character of a public Minister of the United States with that of an exchange broker for the bank. It would not apply so strongly to the case of a Secretary of Legation, and in this instance I should withdraw it altogether, on the decisive consideration that the Government itself has an interest in the success of the negotiation. But it must be with the understanding that it will take Sheldon from his proper service only for a short time, and that he shall make an arrangement satisfactory to Mr. Gallatin for supplying his place during his absence. On these conditions I thought he might go, and, besides the payment of his expenses, might receive a reasonable compensation from the bank for the service. I then returned to Mr. Crawford the letter from the Collector at Baltimore to him, concerning the Spanish King's brig brought into Baltimore by Daniels, and which he had sent me, and I read to him the letter from the District Attorney, Glenn, to me concerning the prosecution of these Baltimore pirates. Glenn says that the vigilance and zeal of the subordinate Custom House officers, and of the captains of the revenue cutters, might be usefully spirited and invigorated for the effectual suppression of this mischief. Crawford promised to give instructions accordingly. I told him I had received another letter from Baltimore, from J. J. Appleton, with further in-

formation upon the subject, and a note from Mr. Onis, the Spanish Minister, demanding the restoration of the King's brig. I thought this was a regular and correct application, but I had some difficulty as to the mode of proceeding proper for the case—whether the Spanish Consul could libel the vessel as belonging to the King of Spain, or whether we could direct a seizure of her by the Government, for the purpose of restoring her to Spain. We considered this question, and concluded that the best course would be for the Spanish Consul to libel the vessel. Crawford observed that it was unfortunate that the Attorney-General was now absent. I asked Mr. Crawford how the Treasury stood at this time, it being a period of great pecuniary pressure and embarrassment. He said there were in the months of February and March great deficiencies in the receipts from Norfolk, in Virginia, but none considerable from the other sea-ports. But from the Western country the receipts from the sales of lands had very greatly fallen off, and were dwindling down to nothing. The situation of the United States at this time, in regard to their commerce, revenue, manufactures, agriculture, banking institutions, and political economy generally, is such that the most special attention is due from those who are in the public service, and most especially from the members of the Administration. I deeply lament that my time is so much absorbed by other and more immediate and indispensable duties that I have scarcely any left for thoroughly investigating this. In the midst of peace, and of partial prosperity, we are approaching to a crisis which will shake the Union to its centre. I see violent and threatening symptoms of the disease, without knowing where to look for the remedy.

Mr. Hyde de Neuville, the French Minister, came to ask for an order to the Collector at Baltimore for the restoration of certain French property piratically captured, and libelled by the French Consul. A parcel of the same property, he said, had been thus restored to the French Consul at Alexandria, and Mr. Crawford thought it could be done in like manner at Baltimore; but De Neuville thought it would require a short letter from me to the District Attorney, or to the

Judge. I told him that according to our institutions it would be improper for any member of the Executive Administration to write to the Judge, but if he would write me, setting forth the facts, I would then, if there would be any propriety in the measure, write to the District Attorney concerning it. I returned him the copy of Count Palmella's note which he had lent me, and of which he consented that I should furnish Mr. Graham with a copy. He then referred to the answer I had sent him to his proposal for declaring some half-dozen piracies, additional to those already recognized by the law of nations. He was not altogether satisfied with my answer to it. He admitted, however, that there might be some inconvenience in constituting so many new capital offences. He asked if I had any late news from France, and appeared to be quite uneasy at the accounts of the addition of fifty or sixty new members to the House of Peers. I had nothing recent from Mr. Gallatin, but lent De Neuville all the latest newspapers that I had received from France.

We had also some conversation respecting the new treaties of Great Britain with Spain, Portugal, and the Netherlands, allowing a mutual right of search to armed vessels, and joint Courts for trying slave-traders. I told him I was glad that France and Russia, at Aix-la-Chapelle, had refused acceding to this principle of mutual search in time of peace. But he thought it would not be inadmissible for the purpose of abolishing effectually the slave-trade. He said he was sure there would be no slaves in the United States in forty years from this time. There would be, to be sure, in Louisiana, but then Louisiana would not form a part of the United States. I said that civil war would then be substituted instead of the Union.

26th. I called at the Patent Office, to make enquiry of the principle of an invention for which A. W. Foster and a person named Hugus are taking a patent. Foster has written me a letter, in which he speaks of it as a desideratum in mechanics, expects that within five years it will be navigating the Wolga and the Caspian, and applies to me for information how he is to obtain patents for it all over Europe. I found Dr. Thornton

making out a patent for it, and describing it as a mode of obtaining rotary by rectilinear motion. It is one of the innumerable progeny of the steam-engine, a machine almost as pregnant of power as the element by which it operates. Fulton's steamboats have turned all the projecting heads in that direction. Fulton himself invented little or nothing, but with the aid of Chancellor Livingston's fortune he made the inventions of others practically useful. Fulton's patent privilege from nature was enterprise and perseverance. He was doubtless ingenious too, but, I believe, not more so than many ordinary mechanics. This improvement of Mr. Foster's is a simplification of Fulton's machinery, but differs nothing in principle, and very little in mode, from several other models of patents to produce the same effect, which the Doctor showed me. He also told me the whole story of his own steamboat, which actually ran upon the Schuylkill several years before Fulton's, but which failed of ultimate success merely by his want of perseverance and pecuniary means. I went over the whole Office with the Doctor, and examined many of the models. I thought how useful and profitable an occupation it might be for a young man with a competent fortune, and having no other necessary pursuit in life, to take up this collection of models, to examine and make himself thoroughly master of the principles, and of the peculiar invention, or new idea, with its application, in each of them; then to classify them, to mark all those, if any there be, which contain a new principle, to examine the differences in the modifications of the same principle, then to observe and compare them with reference to their ultimate *results*—what effect they produced upon the enjoyments or conveniences of human life, distinguishing those of which the *ends* are comprehensive and important from those which terminate in trifles—a steam-engine or a cork-screw; finally, to make a history of these inventions, with reference to the characters of the inventors, and the character of the nation by whose citizens they were invented. It would lead to inferences developing the moral and intellectual character of the nation itself, and might, with a good natural capacity, and industrious, sober, and persevering habits, lead

to inventions and discoveries as useful and important as any of those accumulated in the Office. There might be danger, unless he had a well-ballasted mind, of its making him a mere projector. Would it not be worth while, among the public institutions of a nation, to have a school for the education of a certain number of civil engineers? Would it not be worth the while of a Secretary of State to reflect and examine whether it is not among his duties to devise means of rendering this Patent Office more conducive to the public service and of more extensive usefulness? This last question I am afraid I shall never solve. Every day starts new game to me upon the field of my duties, but the hurry of the hour leaves me no time for the pursuit of it, and at the close of my career I shall merely have gone helter-skelter through the current business of the office, and leave no permanent trace of my ever having been in it behind.

Mr. John Graham called upon me at the office, to enquire again when I should be ready with his instructions. I said, to-morrow. He urged again to have some part of the expenses for his passage in the frigate paid by the Department. It is very difficult to resist these personal applications face to face. But great abuses have been creeping into the pecuniary affairs of the Department, which have produced disorders in its accounts and a consequent dissatisfaction in Congress. Mr. Monroe and Mr. Madison, while in the Department, made it a principle to leave all these questions unsettled. In this way there arose irregular allowances for the expenses of Ministers having passages in public ships; and in the case of the mission to South America they were enormous. I have no other principle to recur to than that of allowing no expense for the passage whatsoever. This brings me into a disagreeable collision with every Minister going abroad; and those who, like Graham, are here at hand, and come one day to ask if they cannot be allowed to use the ship's bread, and the next to enquire whether we will not pay for the extra cups and saucers for the breakfast-table, bring one into a state of ludicrous distress for resources of polite modification to the monosyllable *No.*

27th. John Graham came to take leave, intending to leave the city to-morrow. I read to him the remainder of the draft of his instructions, and had much conversation with him on points upon which written instructions were not expedient. Graham is a safe, intelligent, and industrious man, acquainted with the French and Spanish languages, of mild and conciliatory manners, and of much experience in our public affairs, having been Secretary of Legation to Spain when Charles Pinckney was the Minister, in 1801; afterwards Secretary to the Territory of Orleans. During the whole period of Mr. Madison's Administration he was Chief Clerk in the Department of State, and has since been a Commissioner to South America. His talents are rather solid than brilliant, and I have hopes that his amenity of deportment and his prudence will restore the good understanding with the Portuguese Government which has of late been so deeply affected.

After he left me, I was reperusing the late letters from Henry Hill, the Consul at Rio de Janeiro, with a view to answer them, when Mr. F. Maury came in with a budget of dispatches just delivered to him by Captain Biddle, of the ship of war Ontario. She arrived at Annapolis yesterday, last from Pernambuco and Rio de Janeiro. There were dispatches from Mr. Sumter of 3d March, and a letter from Joseph Ray, still acting as Consul at Pernambuco, of 23d March; letters also of 3d December, from Lima, and one from Captain Biddle himself, announcing that on the 19th of August last he took possession, in the name and on behalf of the United States, of both sides of the mouth of Columbia River. These papers make it necessary that I should give further instructions to John Graham, and will delay for a day or two longer the dispatching of him.

29th. At the office I found Mr. George Hay, who borrowed a Parliamentary pamphlet containing papers relating to the slave-trade, received with the last dispatches from R. Rush. Hay said he had a great avidity for all papers concerning the project for abolishing the slave-trade, a project which he believed would ultimately fail, which had already produced incomparably more mischief than good, and which he had no doubt would continue to be pernicious. For he had no doubt

that the insurrection in Saint Domingo, and the total destruction of the white powers there, were the legitimate offspring of Mr. Wilberforce's first abolition plans; and our Colonization Society here, whatever pretences they may put forth, and whatever some enthusiastic people among them might believe and intend, could have no other ultimate object than a general emancipation. I said that the Colonization Society were pushing their objects with so much zeal and importunity that I very much wished their memorials might be taken up by Congress and fairly discussed; for, under the color of colonizing black people, I was afraid they would smuggle in upon us a system of establishing Colonies beyond sea, of the consequences of which the people of this country were little aware; while in England, under the mask of abolishing the slave-trade, they were introducing, and had already obtained the consent of Spain, Portugal, and the Netherlands to, a new principle of the law of nations more formidable to human liberty than the slave-trade itself—a right of the commanders of armed vessels of one nation to visit and search the merchant vessels of another in time of peace. I observed that the Colonization Society had derived great strength from the part which the Virginia Legislature had taken in their favor.

He said the Virginia Legislature had been tricked into that Resolution; that there was no such absurd reasoner in the world as humanity—it never looked but at one side of a question; that the Resolution of the Virginia Legislature had been obtained by Mr. Mercer, who was the father of the Colonization Society and of all their projects; that he himself had inconsiderately voted for it under the impulse of humanity, and three hours after, and ever since, had bitterly repented his vote. The subject had afterwards been brought up again upon some correspondence between Mr. Jefferson and Mr. Monroe, which had been discussed in both Houses of the Legislature with closed doors. Afterwards, the House had removed the injunction of secrecy, and the correspondence was to have been published; but Mercer lost the copies which had been before the House, and subsequent application was made to the Senate for their copies for publication. A motion that the

copies might be given was made in the Senate, which he (Hay) had opposed, and he took the occasion to review the whole subject. When the vote was taken, only two members of the Senate voted for granting the copies, and now, if a vote of the Virginia Legislature could be taken, it would be anything but in favor of the Colonization Society and its projects. Mr. Jefferson, he said, had favored them because it was he who many years since had introduced and carried through the law of the State for partial emancipation of the slaves, and after witnessing the pernicious consequences that had followed from it he was desirous of finding another remedy for it. But the friends of emancipation had a memorable example before them, of which it was surprising that they would not avail themselves as an admonition. The negro slave trade itself was the child of humanity—the contrivance of Las Casas to mitigate the condition of the American Indians.

Mr. Hay's opinions upon the Colonization Society and its projects were unexpected to me. There are so many considerations of difficulty and of delicacy mingling with this subject that I would gladly keep aloof from it altogether. But I apprehend the Society, which, like all fanatical associations, is intolerant, will push and intrigue and worry till I shall be obliged to take a stand and appear publicly among their opponents. Their project of expurgating the United States from the free people of color at the public expense, by colonizing them in Africa, is, so far as it is sincere and honest, upon a par with John Cleves Symmes's project of going to the North Pole and travelling within the nutshell of the earth.

30th. I had not a thought, when writing my journal of yesterday, that I should so soon be brought into direct collision with the Colonization Society. But this morning Mr. Laurie, the Presbyterian, and Mr. Hawley, the Episcopalian clergyman, came to my office, as deputies from the Society, with a subscription paper to raise money to send to Africa the slaves which have been advertised for sale for the benefit of the State of Georgia. The Legislature of Georgia authorized the Governor to deliver over those slaves to the Colonization Society if they would take upon themselves the whole expense of sending

them to Africa or elsewhere, and pay back to the State all the charges and expenses occasioned to them by the smuggling in of these negroes. The Society have accepted this offer, and are now soliciting subscriptions to collect the money. They have been for some days addressing the public and soliciting in the newspapers; and now these clergymen are going round as their deputies with the subscription paper. Mr. Crawford's name was down for fifty dollars. I declined subscribing, and told Messrs. Laurie and Hawley that on full deliberation I had with regret made up my opinion that the object of the Society was impracticable to any considerable extent, and that as far as it would be practicable it would be productive of evil more than of good; that, without answering for the feelings or the fortunes of individuals, one or more, I believed that the mass of colored people who may be removed to Africa by the Colonization Society will suffer more and enjoy less than they would if they should remain in their actual condition in the United States; that their removal will do more harm than good to this country, by depriving it of the mass of their industry, and thus that the result of the whole, to both parties, will be evil and not good. Mr. Laurie argued the subject with me for more than an hour, but Mr. Hawley took no part in the conversation. Laurie observed that the Society would greatly regret not having the weight and countenance of my name, but would hope I should hereafter be convinced by the experience of their success.

I told them I would certainly not throw impediments in their way. I had the highest respect for the motives of the Society and for the characters and opinions of many of its members. My deference for those opinions made me distrustful of my own. Yet by my own I must necessarily abide. I wished not to appear or be thought an adversary to the Society, but I could not, with my present opinions, give it any countenance. I was willing their experiment should be fairly made; I had no faith in its success. So far as my refusal to subscribe might operate against the Society, I should wish what had passed between us might not be made known, but so far as it concerned only myself, I had no wish that it should be kept private. Their

deportment was entirely proper, and Hawley looked assent to almost all that I said.

This was a day of exceptionable subscription papers. Mr. Kerr brought me one for a ball to be given to Mr. and Madame Hyde de Neuville, which I also declined, not from any disregard for them, but disapproving it as a precedent and example. In the case of the ball given to Mr. and Mrs. Bagot, I had not been consulted. It was got up principally by members of Congress, and, although I was invited to it, I had accepted not without hesitation. At that ball unpleasant circumstances had occurred, and would have convinced me, independent of any preceding objections, that the example ought not to be repeated. There was an attempt made before Mr. Onis went away to raise a subscription, first to give him a dinner, and then a ball, both of which failed. One of the great mischiefs of all these subscription entertainments is that it levies upon perhaps half the subscribers a tax which they have neither ability to pay nor strength of mind to refuse. They cost from ten to twenty dollars a ticket, and if multiplied by the practice of giving them to all the departing Foreign Ministers, would soon become insupportable. Mr. Kerr said they had at first intended not to offer the paper to the heads of Departments, but to have invited them; but times were so hard, and people were so distressed for money, that they could not otherwise make up their subscription. I requested him, if it should be made up, not to send me an invitation, as I could not accept it, especially after having declined to subscribe.

*May* 3d. De Neuville told me that he had received a letter from De Mun, at Bordeaux, the forty-seventh day after he left this city, and he has dispatches from his Government of a date as late as the 16th of March. He came to propose the renewal of our old Commercial Convention with France, under certain modifications, and to ask if I had any other proposals to offer for a commercial treaty.

This is a subject almost new to me, and upon which I must give much time and study before I can be prepared to act. Yet it is one of the urgent duties to which I ought to give immediate and deep attention.

De Neuville said he was determined to return to France and go into retirement. He should, indeed, have been mortified if he had been recalled upon the late change of Ministers in France, but he wishes to go out of office in a creditable manner. Then, if the Duke de Richelieu, or Mr. L'Ainé, should come into office again, he may be employed elsewhere, or return to his post here. I was endeavoring to dissuade him from going to France this year, for if he goes, as his party are entirely down, he will stand a great chance of being displaced, and getting into difficulty and trouble on account of his party; while by remaining here he will be aloof from all party contention, and be serving faithfully his own country, in whose hands soever its Government may be.

He seems to think it a point of honor to go and share the fortunes of his party; but I shall resume this conversation with him hereafter.

He spoke of the former French Ministers who have been in the United States, and by his account the archives of the Legation from the time of the first Minister accredited here (Gerard) to this time are complete. He says those of the Chevalier de la Luzerne are in the most perfect order, and the most valuable—better than when Marbois was here alone as Chargé des Affaires; that La Luzerne was of a very good, but not a great family; that in France no families were considered *great* but such as could number among their ancestors a Marshal of France, a Cardinal, or an Ambassador. The family of La Luzerne had neither, till he himself and his brother were Ambassadors, and now one of their kinsmen was a Cardinal. But it was a very respectable family *de Robe*. Marbois, whom Bonaparte had made a Count, was now a Marquis—an intelligent, industrious, and honest man. Dumoustier was a great fool. There was a long dispatch from him giving an account of his first presentation to President Washington, in which he describes in great detail the President's dress and his own, to their very stockings. Genest's dispatches are disgusting, full of raving Jacobinism, base intrigues, and *la propagande*. But he enraged Robespierre so much by publishing part of his instructions, that if they could have got him back to France they

certainly would have guillotined him. His successor not only had orders to demand that he should be delivered up, which he did but was refused, but he had other orders to seize and send him off secretly, which was not accomplished. Turreau was a man of understanding, but a very worthless man, and, although here several years, knew no more of this country than of China. This custom of keeping archives and records of a Legation is a very good one; though it would be more difficult for American missions[1] than for those of Europe.

6th. Mr. Crawford had summoned a meeting of the Commissioners of the sinking fund at one o'clock, which I attended with the Attorney-General, Mr. Wirt. Two resolutions were passed: one to redeem twenty-seven per cent. of the Louisiana loan, and to apply the residue of the ten millions of dollars appropriated by law for the annual redemption of the public debt, after provision for the interest payable in the year, to the purchase of three per cent. stocks. There was a desultory discussion of various questions relating to these payments, and conversation upon various other topics, a violent thunder-gust having detained us there a half an hour after the business of the meeting was finished. Wirt was groaning about the pressure of the banks upon the people, and from the manner in which he spoke I conjectured that he had feeling of his own in the affair. The transactions of the Baltimore Branch Bank are still in confusion, and not likely to be soon adjusted. Crawford had a National Advocate, which he was reading, and he remarked with great apparent satisfaction that the recent elections in the State of New York had, as he said, blown up De Witt Clinton. The election of Governor in that State will not take place till the next year, but the elections to the Legislature appear to be going against his friends and supporters. Crawford and Wirt both gave it as their opinion that this would put Clinton down, never to rise again—which will depend very much upon circumstances. De Witt Clinton's political fortunes have been more marked with starts of good and evil fortune than those of any other

[1] This custom was not introduced into the American missions until nine or ten years after this time. It has now become general.

man in the Union. He has been taken up and laid aside at least half a dozen times, and was never more low and discredited in public opinion than immediately before he was elected Governor of New York without opposition. He is, in fact, a man of great talents, and has magnificent purposes of public service. He has comprehensive views and great designs. But with these high and honorable materials of ambition he employs those of a baser sort—the charlatanery of popular enticement. He affects to be a man of universal science, and smatters in agriculture, the arts, manufactures, antiquities, and everything that smacks of combination and vote-making. He has been laboring all his life in combinations and coalitions and political intriguing with individuals and with parties. He began his political life as a furious Republican, and rose with the downfall of the federal party in New York. He then made common cause with Burr and his partisans, afterwards quarrelled with them, and then coalesced with them again. Till the commencement of the late war with England he had continued, however, through all his changes, an ardent Republican; but no sooner was that war declared than he veered about, thrust himself forward as head of a peace party, negotiated for and obtained the support of the federalists as a candidate for the Presidency, in opposition to the re-election of Mr. Madison, in 1812, and had agents travelling about the country and bargaining with individuals of influence to obtain their support to secure his election. George Blake, the District Attorney at Boston, told me, last September, that in 1812 Clinton's ambassador came to him and explicitly assured him that as Mr. Clinton was a candidate for the Presidency, with a fair prospect of being elected, his (Blake's) continuance in his office would depend upon the part he should take in the election; that if Mr. Clinton should succeed, he would of course favor those who favored him. He did the same with others; and the New England federalists actually gave him their support. This manœuvre, however, did not succeed. His forecast failed him in regard to the effect and result of the war, and his versatility threw him back, instead of advancing him, in the progress of his ambition. At

the close of the war he was so unpopular that he was removed from the office of Mayor of New York and turned over to private life; but only two years afterwards, Tompkins, the Governor of New York, being transferred to the Vice-Presidency of the Union, a sudden and unaccountable coalition of all the parties in New York fixed upon De Witt Clinton, and he was elected Governor without opposition. Since then his public measures have been generally good, and his speeches in the Legislature of the State have been much admired, but his appointments to office have not given satisfaction. The last year he lost much of his influence in the Legislature, and he will probably lose more by the issue of those now made. The chance is against him for his own re-election the next year. But ups and downs are the natural characters of such a man's history. His abilities rank him among the first men in the Union; he is the most eminent, though not the ablest, man in the State of New York, and, as he is yet not more than fifty years old, another fall will by no means be decisive of his fate for life. Crawford, however, obviously considers him now as a rival removed, and evidently reckons upon the support of New York for himself at the proper time. That he had electioneering intelligences with some of the New York members of the late Congress at the last session was manifest, and he spoke this day of the men of political consideration in New York, with an intimate knowledge of all their party views, bearings, and connections. He spoke, too, in a tone that showed a confidence that all Clinton's losses in that State would be his gains.

10th. I received the package of books which I have been expecting from Boston—the Cicero and Tacitus given me by Wells and Lilly in return for the Ernesti edition of mine, which they had to print their Cicero from. I cannot indulge myself in the luxury of giving two hours a day to these writers; but to live without having a Cicero and a Tacitus at hand seems to me as if it was a privation of one of my limbs. The edition of Wells and Lilly is a very handsome one. I opened a volume of the Tacitus, and, by a kind of "sors Tacitiana," fell upon the passage, "*Fidem, libertatem, amicitiam*, præcipua

humani animi bona, tu quidem eâdem constantiâ retinebis." (Hist., lib. i. cap. 15.) More than thirty years ago my father selected the three emphatic words of this passage for a motto, and I have had them these twenty-five years as the motto upon my cipher seal. I opened the eleventh volume of the Cicero. It was at a letter from Brutus and Cassius to Mark Anthony—an admirable letter. The heroic sentiment in it is, "Nulla enim minantis auctoritas, apud liberos est," of which the whole letter is an expanded illustration. The threat of Anthony was no empty menace, and soon proved fatal to both the writers, at Philippi. Yet the sentiment is not the less magnanimous for that.

11th. There were two notes from Mr. Antrobus, the British Chargé d'Affaires—one, requesting the admission free of duty of his furniture and wine, arrived at Philadelphia, and the other, asking the delivery up of three British subjects, seamen on board a piratical privateer called the Louisa, Captain Almeda, fitted out at Baltimore, and which has committed so many outrages that the Lords of the British Admiralty sent out an armed ship, the Lee, Captain Blacker, expressly to take her. Blacker arrived at Charleston while the President was there, and learning that several of the crew of the Louisa, among whom the three British seamen were included, were in prison at Charleston upon a charge of piracy, he applied by letter first to the Governor of South Carolina, and afterwards to the President, asking to have the men delivered up to him, to be carried to England for trial. The Governor answered Blacker that he had no authority in the case, the men being in prison under the authority of the United States. Mr. Gouverneur, the President's private Secretary, referred Blacker to the Secretary of State, through the British Chargé d'Affaires. Antrobus's note requests that the men may be delivered up, and sends copies of Blacker's correspondence. I had received other copies of it the day before yesterday from the President, with a letter from him, in which he says the men cannot be delivered up, but thinks we may offer to have the trial delayed, if desired, for the attendance of witnesses from England. But the Supreme Court of the United States, by a decision founded

upon captious subtleties in Palmer's case (3 Wheaton's Reports, p. 631), cast away the jurisdiction which a law of Congress had given to the Circuit Courts in cases of piracy committed by foreigners, by construing the words "any person or persons" to mean only citizens of the United States. Their reasoning is a sample of judicial logic—disingenuous, false, and hollow—a logic so abhorrent to my nature that it gave me an early disgust to the practice of the law, and led me to the unalterable determination never to accept a judicial office. In this case, if human language means anything, Congress had made general piracy, by whomsoever and wheresoever upon the high seas committed, cognizable by the Circuit Court. The law has been in force from the 30th of April, 1790. Foreign pirates, for piracies committed in foreign vessels, have been tried and hung by its authority, and now the Supreme Court have discovered that "any person or persons" means only citizens of the United States, and that piracy committed by foreigners in foreign vessels is not punishable by the laws of the United States. At the last session of Congress a new Act was passed, to patch over this enormous hole in the moral garment of this nation made by this desperate thrust of the Supreme Court, and general piracy was made expressly punishable by the Circuit Court; but the exploits of the Louisa and her crew were achieved before the passage of this Act, and cannot be tried under it. The charges upon which the men of her crew are in prison at Charleston must therefore be for piracies committed against citizens of the United States, and it is scarcely probable that the witnesses in England can testify to them. I wrote, however, to Mr. Antrobus, coming as near to the President's ideas as I could. And I wrote to the Secretary of the Treasury requesting an order to the Collector at Philadelphia for the free admission of the goods.

13th. IV. 30. Four hours of this morning again engaged in examining the journals of the Convention of 1787, and the sheets of yeas and nays, which I compared with the questions in the journals. This comparison has led me to the conclusion that the journals ought to be published with notes. The journals were loosely kept, and the yeas and nays only show

the votes of States, and not of individual members. There are some questions on the face of the journals, and which were evidently taken by yeas and nays, but which are omitted in the sheets, and some on the sheets of yeas and nays which were not entered upon the journals. The journal never mentions by whom a motion was made, but it often appears upon the sheets of yeas and nays. I must revise and superintend the publication of this volume myself.

15th. I was employed again great part of the day in examining the accounts of appropriations and expenditures for the contingencies of the Department of State. From the manner in which those accounts have been kept, the expenses for some years past have exceeded the appropriations, and, as the deficiency of one year encroaches upon the appropriations of the next, the fund is always in arrear. I have been repeatedly sending to the Treasury to obtain the accounts, and have them now, from the beginning of the year 1817. But the deficiency began before that, and I must go further back. Another source of continual confusion and embarrassment to me is the want of order in keeping the files of papers in the office. I this day wanted a dispatch dated last September, from Mr. Russell, at Stockholm. It was not to be found. Two days ago I wanted the letters from B. Irvine, at Venezuela. They are not yet found. Scarcely a day passes that business is not delayed by this sort of disorder, for which I have not yet been able to devise an adequate remedy.

16th. The remainder of the day I was employed in delving into the Convention journals and papers. They are to be printed by T. Wait, at Boston, which I now find to be cause of some inconvenience. From the examination of all the papers that I have collected, it is apparent that the usefulness of the publication will depend altogether upon their arrangement. When the Convention adjourned, they passed a resolution that their journals and papers, which had been kept by Major William Jackson, their Secretary, should be delivered to their President, Washington, to be kept by him, subject to the future order of Congress, after the Constitution should go into operation. Washington kept them till the 19th of March, 1796,

when he deposited them in the Department of State, where they have remained till this time. A resolution of Congress of 27th March, 1818, directed that they, together with the secret journals of the old Congress, and their foreign correspondence to the Peace of 1783, except such parts of it as the President may think it improper now to publish, should be printed under the direction of the President. He devolved this duty upon me; but the books and papers deposited by President Washington were so imperfect, and in such disorder, that to have published them, as they were, would have given to the public a book useless and in many respects inexplicable.

It happened that General Bloomfield, a member of Congress from New Jersey, as executor of the will of David Brearley, one of the members of the Convention, had come to the possession of his papers, among which were several very important ones relating to the proceedings of the Convention. He sent them all to me. The journal itself was imperfect, and the journal of the last two days was wanting. I wrote to President Madison, and obtained from him the means of completing it. There was a plan of Constitution mentioned on the journals as having been proposed by Mr. Charles Pinckney, of South Carolina. I wrote to him, and obtained a copy of that. With all these papers suitably arranged, a correct and tolerably clear view of the proceedings of the Convention may be presented; but there is one great and irreparable defect. In the printed journals of the old Congress the yeas and nays appear nominally, as well as by States, although the votes were taken by States. So they were in the Convention; but the yeas and nays show only the votes of States, and not of the individual members. Copies of the journals, and of most of the papers, were sent last autumn to Wait, at Boston, but I had not time to examine and collate the whole, and I did not dare trust the task to any one else. I have now nearly gone through it, and have settled the mode of publication, but to carry it into effect I must have again all the papers that have been sent to Wait. There is also one paper wanting, to be collected from the resolutions scattered over the journal from 19th June to 23d July, 1787. I began this day to prepare it.

17th. Wrote to Wait, and continued plodding upon the journals and papers of the Convention. Proceeded with the draft of the supplementary paper, and made out a list of the members who attended. Received a pressing letter from Gales, the editor of the National Intelligencer. At the office I found Mr. Pleasanton, with whom I had some conversation about the appropriations and expenditures of the contingent fund of the Department. He told me there had been one year an overdraft upon it, but did not explain for what. It shall go hard but I will find out.

18th. The office hours were absorbed in the examination of the accounts of the contingent expenses in the Department of State since the year 1814. I have partially ascertained the causes of the deficiency in the appropriations, and hope I can now arrange a system of regularity for all the expenditures under the direction of the Department of State.

19th. I proceeded in the examination of the accounts of the Department for contingent expenses. They have been kept in a very loose and slovenly manner. A deficiency in the appropriations has hence arisen every year, principally from an inadequate appropriation every year for publishing the laws in the newspapers. I directed Mr. Bailey to procure an account-book, and, beginning with the year 1817, when I entered the Department, open an account for every separate appropriation placed under the direction of the Department of State, marking—first, the amount of every annual or occasional appropriation; secondly, every receipt under such appropriation by the letters from the Secretary of State to the Secretary of the Treasury requesting warrants to issue upon the appropriation; and, thirdly, every payment made to balance these receipts. Thus the receipts, the payments, and the appropriations must all balance one another, and in case of any excess or deficiency its cause will immediately be seen. I also directed Colvin, who has the publication of the laws in the newspapers under his direction, to insert a paragraph in the next circular letter of appointment, directing each printer, as soon as he has completed the publication of the laws and treaties of the session, to give notice of it in the paper, and with that paper to send

his account for settlement. It seems to me that a regular system for keeping the accounts of expenditures under the direction of the Department may be easily established and made extremely simple; but for want of it I have been groping nearly two years, without knowing the state of the accounts or the causes of the confusion of them.

20th. Continued at home the preparations for the publication of the Convention journals, and at the office the drafts of instructions for E. Fromentin and for Captain Perry. Finished the first sketches of both; but the latter must be revised, and I am not satisfied with my work upon it. There is want of method, and great diffuseness, with many repetitions in it. In writing State papers at present, I constantly feel like the Grecian orator who said he had not time to make his speech short. The pen always overflows with the first tide of a copious subject; and then to organize and arrange, to add a little, and to erase much, which is necessary for all correct and polished composition, consumes more time than to write the first draft. With the pressure of business at the office, I have not now that time to spare. I must strike off all my papers at a heat. They are therefore redundant, and at the same time deficient—a fault aggravated in this case of the draft for Perry, because he is to go to two places, with the same errand to both, but with differences of detail, and, as the nature of the case required an argumentative dispatch, I was obliged to put half the reasoning in one part of it and half in the other. The argument was thus weakened both by division and by repetitions. In a second draft I could compress the matter, strike out the repetitions, and concentrate in one all the scattered fragments of argument, but I have not time to make it. The journal and the ledger of mercantile accounts present the analogy of the process of elaborate composition. I also pursued further the investigation of the Department accounts for the last four or five years. The French Minister, Hyde de Neuville, called upon me to enquire what foundation there was for a rumor circulated and repeated in the newspapers of a cession by Spain of the island of Cuba to Great Britain. I did not believe it, and thought the report merely a political or commercial speculation, or both. Yet

there has been some mysterious negotiation between Spain and England about Cuba, the secret of which is not unfolded.

21st. A hurly-burly day—by which denomination I designate that class of days which I have already noticed in this journal, days of continual and unexpected interruptions, by persons successively calling at the office and by a multitude of letters and voluminous dispatches received from various quarters. It is *distraction* of the character which Dr. Rush, in his work upon the mind, describes as naturally leading to madness. It is a distressing state, which always reminds me of that scene in Shakspeare's Henry the Fourth where the Prince and Poins amuse themselves in bewildering Francis the drawer. When I came to the office this morning, I found there Lieutenant Williamson, of the frigate United States, which has just arrived at Norfolk from the Mediterranean. He brought me a dispatch from Mr. Shaler, the Consul-General to Barbary, who was at Gibraltar when the frigate left that place, 31st March. With Shaler's letters there was one from Mr. Folsom, whom he has placed as Chargé d'Affaires at Tunis during the absence of the late Consul there, Anderson, and several enclosures. Lieutenant Williamson sat with me an hour, giving me accounts of the state of the squadron in the Mediterranean and of the frigate United States and her voyage home. She has had a passage of fifty days, while a merchant vessel which sailed from Gibraltar with her arrived at Boston in twenty-nine. He says it was the difference of being bound to a Southern instead of an Eastern port—a remarkable and perhaps not uncommon fact. The United States is commanded by Captain Crane, who, Williamson says, is so much liked by his crew that although they must now be discharged, the term of their service being expired, he is persuaded more than two-thirds of them, after having their frolic, would engage with him again. I asked him what number of foreigners there were among them. He said from forty-five to fifty, but he did not reckon the Englishmen among the foreigners, for they all swore they were born in some part of the United States, and they could not be distinguished by their language, though the Irishmen might. The frigate is much decayed, and will want a thorough repair.

When the Lieutenant left me, Mr. Pleasanton came in and gave me some further information respecting the state of the Department accounts. He is to call again for the same purpose to-morrow. Then came Mr. Homans about my letter to the Secretary of the Navy, which, though finished, I had no time to revise and dispatch for the mail of to-morrow morning. The papers for Mr. Fromentin were, however, prepared. Mr. Frye came to ask my advice what to do. He is summoned as a witness to the Court of the United States at Richmond, which sits next week. But he is the Chief Clerk in the office of the Paymaster-General, Robert Brent, who has been nearly a year paralytic, and Frye has been doing all the business of his principal as well as his own. Mr. Brent is utterly incapable of attending to any business, and if Frye goes, all the important business of the Pay Office will be suspended for a week. He said it would also be very inconvenient for him to leave home, on account of the situation of his family. I advised him, if possible, to put the current business of the Pay Office in a way that the routine might be performed for a short time without him, and, if not, to write a short letter to the District Attorney, and one to the Court, stating the circumstances which will prevent his attendance, and transmit an affidavit of the facts concerning which his testimony is wanted. Mr. William Lee came upon no special business, but for conversation. I had dispatches from Mr. Gallatin, from A. H. Everett, and from the bankers at Amsterdam, with accounts. With the interruption of the visitors I scarcely got through the reading of the letters when five o'clock came, and I had written nothing. This is a picture of perhaps half the days that I pass at the office.

22d. Still occupied upon the journals of the Convention, upon which I begin to think I shall spend too much time and descend too much to minutiæ. Pleasanton brought his accounts of Department expenses to the office, and I finished the examination sufficiently to perceive the sources of the total inaccuracy of the annual estimates as they have been heretofore prepared. There is yet, however, much scrutiny necessary to be able to prepare just estimates for the future, and the subject will require constant attention and vigilance.

24th. Forbes came in from Baltimore with the news that the houses of Smith and Buchanan, Hollins and McBlair, Didier and D'Arcy, four Williamses, and many others, this day failed. Smith and Buchanan have been for many years the greatest commercial house in Baltimore; the others have all been in immense business, but bank speculation is what has broken them down. They will undoubtedly drown numberless others with them. In truth, the commercial, manufacturing, and agricultural interests of the country are in a very distressed situation, and their prospects are still worse. The revenue, and even the tranquillity of the Union, will be most seriously affected by it, and, as always happens, the disorder of things will produce discord of opinions and bitterness of political opposition. The greatest danger is of the application of remedies worse than the disease—paper money and prohibitions. The political empirics are already as busy as spiders in weaving their tangles for Congress and the national Executive.

I received this day a printed copy of the seventh address from the Society at Philadelphia for the Promotion of Domestic Industry, urging a petition to the President for an immediate call of Congress to change the tariff and pass prohibitory laws. It was enclosed in a printed letter, requesting me to peruse it very attentively—which I did. I have read carefully all the addresses, which contain some true information and some sound reasoning, mixed with misrepresentations and sophistications, with obscure hints at paper money, and a tempest of outcry for prohibitory duties and protection to manufactures. The process of these publications has been artful and insidious, with after-thoughts in every paper successively disclosed, with elaborate calculation to produce impression upon the public mind. I suppose Tench Coxe to be the author of the papers, and they bear the stamp of his wily, winding, subtle, and insidious character. Of this petition for the call of Congress, and of the call itself, we shall certainly hear more.

Immediately after dinner, Mr. Poletica, who arrived this day, came and paid a visit to Mrs. Adams. At noon I had received a note from him announcing his arrival, and asking when I would receive him, for which I had appointed to-morrow at

one o'clock. He was this evening soon followed by Mr. Hyde de Neuville, and with these visits the evening passed away. Poletica says he has nothing to trouble us with—that he is charged only with the most cordial and earnest assurances of the Emperor's regard and friendship for the United States; that the Emperor was extremely solicitous to be on the best terms with us, and said to him just before he left him at Aix-la-Chapelle, "Je crains que nous n'ayons perdu un peu de terrain là-bas." I assured him that we retained all our respect and friendly disposition for the Emperor, and should do everything in our power to promote the best harmony with his Government. We had much conversation upon the general state of European politics and upon the affairs of France. Both Poletica and De Neuville discovered their principles. De Neuville's hobby-horse is a "Démocratie royale"—universal suffrage and the charter. Poletica's is a "Gouvernement paternel"—a wise and good absolute sovereign, and a happy and submissive people. "Tout pour le peuple, et rien par le peuple," is his maxim. Such are the compromises which the partisans of despotism are compelled to make with the prevailing spirit of the age! Poletica says the new Ministers in France are well pleased with De Neuville, and wish him to remain here. I urged him again not to go this year, but he said he must persist in his resolution—chiefly on account of personal and family affairs.

25th. Among the newspapers that I received yesterday was one called the Courier, printed at Murfreesborough, Tennessee, of the 16th of April, containing a paper of five columns, to be continued, and purporting to be an extract from a letter from me to the editors of the National Register, and addressed to the American people—a miserable thing, full of censorious reflections upon the proceedings of Congress and insinuations against Clay. It is a defence of General Jackson against the objections to his conduct in the Seminole War, upon constitutional principles. It is an imposture; I never wrote any such paper. I had seen before some allusions in several other Western newspapers to this piece, and in which it is considered as genuine. I wrote a paragraph to be published in the

National Intelligencer and Washington City Gazette, declaring it spurious.

26th. Finished the first draft of an advertisement to be prefixed to the publication of the journals of the Convention of 1787, and the list of the members. On the way to the office I met Mr. Wirt, the Attorney-General, who made some enquiries as to the state of our negotiation with Spain. Paragraphs are creeping into the newspapers hinting that the Government of the United States were imposed upon in the Florida Treaty; that after it was signed it was discovered that eight millions of acres of lands had been granted by the King of Spain, which were confirmed by the treaty; that after the discovery I called upon Don Onis for an explanation of such conduct, when the crafty Don answered that a bargain was a bargain—that all the grants were confirmed by the treaty, and that the grantees did not let him into their secrets; that this was the cause of dispatching the special messenger immediately after the bearer of the treaty, and that the Government at Washington hope the treaty will not be ratified in Spain. This first appeared, about this day last week, in the Boston Sentinel, and is now circulating in the newspapers throughout the Continent. The real facts, of which this is a malignant distortion, have been known to so many persons, nearly three months, that I have been surprised to see nothing about it in the newspapers before. Where it came from now I cannot tell. I told Wirt the facts as they are. I have little apprehension with regard to the ultimate result, and am not without hope it will eventually prove more advantageous to my country than if no such incident had occurred. But in the mean time I expect it will prove extremely troublesome, and especially to me. I spoke to Wirt about the acquittal, at Baltimore, of the pirate Daniels. His case went off upon a legal quibble. Wirt says it is because the judges are two weak though very good old men, who suffer themselves to be bullied and browbeaten by Pinkney. I told him that I thought it was law logic—an artificial system of reasoning, exclusively used in Courts of justice, but good for nothing anywhere else. This acquittal of Daniels is a notable sample of it. He was indicted under

an Act of Congress to preserve the neutral relations of the United States, of 3d March, 1817, which Act was on its face limited to two years' duration. By an Act of 20th April, 1818, it was, with several others, repealed by a general law substituted instead of them all, with a proviso that prosecutions might be commenced and carried on for offences committed against it as if it had not been repealed. Now, Pinkney's quibble was that if it had not been repealed it would have expired by its limitation. If it had expired, no prosecution could now have been commenced or continued for any offence committed under it. The Court admitted this as sound reasoning, considered it a plain case, and discharged Daniels. The source of all this pettifogging is, that out of judicial Courts the end of human reasoning is truth or justice, but in them it is *law*. "Ita lex scripta est," and there is no reply. Hence it is my firm belief that if, instead of the long robes of judges and the long speeches of lawyers, the suitors of every question debated in the Courts between individuals were led blindfolded up to a lottery wheel and there bidden to draw, each of them one of two tickets, one marked Right and the other Wrong, and execution should issue according to the sentence of the wheel, more substantial justice would be done than is now dispensed by Courts of law. In criminal cases, by the humanity of the law, which is indeed its best and most amiable feature, the chances in favor of the culprit are multiplied; and when the subtlety and the passions of the judges combine in their favor, no criminal can be brought to justice and punishment.

At the office I had a visit from Mr. Poletica, who told me that he was about writing to his Government, and should be glad to give any information that I should be willing to communicate respecting our treaty with Spain. He said that his instructions were to promote to the utmost of his power a friendly arrangement of the differences which subsisted between this country and Spain, and, from the general acquaintance that he had with the substance of the treaty, he considered it as satisfactory and advantageous to both countries. But he understood there had been some question concerning

certain grants of land in Florida by the King of Spain, upon which there had been an explanation given subsequently to the signature of the treaty. I told him the circumstances relating to the eighth article of the treaty as they have occurred, and observed that the treaty was highly advantageous to both parties, and I trusted would prove satisfactory to both; that one of the views in which I considered it most important was its tendency to confirm the tranquillity of all Europe, as it was impossible things should remain in the state in which they were between the United States and Spain. The treaty or a rupture were the only alternatives. If a rupture had ensued, England could not have been long neutral, and England would have drawn all Europe, pro or con., into the quarrel. He said that was exactly his own impression. He then said that he should wait until the President's return to present his credential letter. I told him that if in the mean time he had any business to transact, I should be happy to attend to it as if he was already accredited. He said he would furnish a list of the persons attached to his Legation, and asked if there would be any objection to his inserting in it the names of Mr. Ivanof, the Russian Consul at , and of Eustaphieff, the Consul at Boston, as the British Government had allowed the insertion of the name of the Russian Consul-General at London, Dubachefsky. I told him that in the absence of the President I could not answer him positively, but, as I apprehended we could not by law extend the diplomatic privileges to Consuls, I thought it most candid to tell him so now. He said that since the affair of Kosloff the Russian Consuls had in fact been attached to the Department of Foreign Affairs, and wore the same uniform that he did; that by this insertion of their names on the list of his Legation he should make himself responsible for their conduct, which he could safely do for Mr. Ivanof, though as to Mr. Eustaphieff, he was *an author*. I told him that besides the inconvenience of allowing a precedent, which all the other foreign Consuls would immediately claim for themselves, there was a difficulty in our double jurisdictions, the exclusive authority of the General Government being confined to the District of Columbia. I promised, how-

ever, to submit the point to the consideration of the President after his return.

27th. I called this morning at Mr. Crawford's office, to consult with him upon what is to be done to obtain an astronomer for the Commission, under the fifth article of the Treaty of Ghent, in the room of Hassler. Crawford's opinion of Hassler is that, although a man of mathematical and astronomical science, he is, practically, a very inefficient man, a mere mill-clapper of babbling, enormously extravagant in his demands, troublesome by his indiscretions, and tiresome by his correspondence. His conduct on this occasion has been so provoking, his demands so exorbitant, his tone so dictatorial, and his procedure withal so crafty, that I could not think of submitting to his terms. After full conversation with Crawford, I determined to write to Mr. Ellicott at West Point, requesting him to undertake the business, and to Major Thayer, the commanding officer at the Academy, asking his assent that Ellicott should go. I wrote to them accordingly, and enclosed the letters open, with my answer, to the Commissioner, Van Ness.

I had also some conversation with Crawford on the present situation and prospects of the country, which are alarming. The banking bubbles are breaking. The staple productions of the soil, constituting our principal articles of export, are falling to half and less than half the prices which they have lately borne, the merchants are crumbling to ruin, the manufactures perishing, agriculture stagnating, and distress universal in every part of the country. The revenue has not yet been, but must very sensibly and very soon be affected by this state of things, for which there seems to be no remedy but time and patience, and the changes of events which time effects. Crawford showed me his last bank returns, which are as large as usual, and the condition of the Treasury is daily improving. But there will be a great falling off in the revenue of the next year.

28th. I resumed this morning the examination of papers for the preparation of a report to the Senate upon weights and measures. At this season of the year, if at any, I might expect to have leisure, or at least some control of my own time. But

I look forward from day to day for it, with almost constant disappointment. I called this day upon Mr. Anderson, the Comptroller of the Treasury, and asked him to attend to the adjustment of my accounts during my last missions in Europe. He said he had hitherto been prevented from taking them up by the pressure of other business, but promised to begin upon them as soon as possible. At the office, Mr. Poletica came, and introduced Mr. Lomonosoff as attaché to the Legation. He made some further enquiries concerning the late treaty with Spain, and also what explanations had taken place between this Government and that of Great Britain concerning the execution of Arbuthnot and Ambrister. He said that since his conversation with Mr. De Neuville and me here, he had corrected some particulars of what he had written to his Government from Philadelphia about the treaty. He had understood that Mr. Onis had given the impression that by the letter of the treaty the grants of lands to the Duke of Alagon and others were confirmed—though, Onis added, it was his wish that his Government should ratify it with the explanation. I told him that I would in strict confidence show him the treaty itself, and gave him one of the original copies of it, with permission to take a copy of it, solely for the purpose of communicating it to his Government. He took it accordingly, and will return it in a day or two. I told him, also, all that had taken place between us and the British Government with regard to the execution of the two Englishmen, till the last declaration of Lord Castlereagh to Mr. Rush, that the British Cabinet, upon full consideration, had come to the determination to make no representation to the Government of the United States upon the subject. I gave him a copy of the pamphlet containing my letter of 28th November last to G. W. Erving, and the documents supporting it, and promised him another.

He said it was formerly the custom to give three copies of all the documents to each of the foreign Ministers. But now we have not copies of a tenth part of the documents of the two Houses of Congress for the use of the Department itself. In allowing him to take a copy of the treaty I have shown him an unusual mark of confidence, with a view to its effect upon

himself, but still more upon the Emperor. It is only a slight anticipation, for, whether ratified in Spain or not, the treaty must be published here, at least upon the next meeting of Congress. As the Emperor has evidently taken considerable interest in the late events of our relations with Spain, and wished that they might be amicably settled, it is important to satisfy him as early as possible of the fairness and justice of our proceedings, and that if Spain now refuses the ratification of the treaty it will be in her own wrong. There is, no doubt, great delicacy, and sometimes danger, in bestowing diplomatic confidences; but, crafty and fraudulent as the trade has the reputation of being, I give it as the result of my experience that confidence judiciously and cautiously bestowed is one of the most powerful and efficacious instruments of negotiation. My prepossessions are not favorable to Poletica, but yet I think it good and safe policy to attempt, in the first instance, to win him with kindness, and particularly as, while it will tend to recommend him to his own sovereign, it will also tend to cultivate the friendly disposition of his sovereign towards us.

Another visitor this day was Captain José Almeida, captain of the late Baltimore piratical privateer Louisa. He is now captain of another, Louisa Carseras, a Spanish brig, which he took in the other Louisa, carried into the island of Margarita, there took a clearance as a merchant vessel armed with ten guns, and came to Baltimore with a cargo, which he sold. He is now ready to sail, and has been libelled in the District Court as fitting out for a cruise under Artigas colors against Spanish and Portuguese property. He came here to obtain an order to the District Attorney to enter a "nolle prosequi" and let him go. He went first to the Secretary of the Treasury, who referred him to me. He is a native of St. Michael's, one of the Azore Islands, consequently born a subject of Portugal, and is very indignant at the charge of intending to take Portuguese property, and among his papers brought a certificate from Mr. Swift, the Portuguese Consul at Baltimore, that he had never heard of Almeida's having taken any such. He is a rough, open-looking, jovial Jack tar, who can neither write nor read, but says that he lived sixteen years in Baltimore, before our late war with

England, during which he commanded one or more privateers out of Baltimore, and took many British vessels, which gave him a taste for privateering; but that after the peace he went in a merchant vessel to Carthagena, where he was taken by the Spanish. They confiscated his property and cruelly abused and maltreated his person—even to beating him; that he determined to have satisfaction of them, and so made himself a South American; went and commanded a Buenos Ayrean brig of war, of which he showed me the commission, and then fitted out his privateer Louisa at Buenos Ayres, and with her on the ocean took this Spanish vessel which he now commands. He went himself on board the prize, leaving the privateer commanded by his first officer. It was from him that the crew took the vessel, turned pirates, and went and plundered the isle of May, and many foreign vessels, after which they stranded and burnt her, off Charleston, South Carolina. He, with his prize, cleared her out from Margarita as a merchant vessel, and came to Baltimore. Here, at the instigation of the Spanish Consul, she was seized, and he was obliged to give bail for himself and bonds for the vessel. And now, just as he is ready to sail, without any additional armament, and only eleven men, the vessel is libelled again, upon the information of the same man, named Southerland, who had informed against him before. He had no doubt, if I would give him a line to the District Attorney, Mr. Glenn, he would let him go; but otherwise he should have to give a thousand dollars to a lawyer to get him off, and he did not like to do that, as he was now rather short of money. I told him I was sorry I could not help him, as I could not possibly judge of the evidence upon which the vessel had been libelled. He went off, saying, without any appearance of ill humor, that he must then go back as he came. He did not appear to be conscious in the slightest degree that he had been doing anything wrong. Just so it is with the slave-traders.

29th. Mr. Poletica brought back the copy of the treaty which I had lent him, and also copies of some of his instructions, and one of the protocols of the Congress at Aix-la-Chapelle. It simply establishes the principle that the allied powers will here-

after consider a Resident as an intermediate rank in diplomatic etiquette between Ministers of the second order and Chargés d'Affaires, and that they will communicate to one another their respective regulations upon the subject of salutes by ships of war, in order to agree upon some definitive general rule to be observed by all. Poletica observed that he had communicated this protocol to Mr. Hyde de Neuville, who had heard nothing of it. But he observed that as Mr. Greuhm is here with the character of Minister Resident from Prussia, and had not been officially informed of this new regulation, if he should feel any reluctance to complying with it, he (Poletica) would very cheerfully yield the precedence to him. One of the instructions that he gave me to read was from the Emperor Alexander himself. It was in the nature of a circular, upon leaving Aix-la-Chapelle, to all his Ministers in foreign countries, and its principal object was to direct them everywhere to discountenance the idea that *he* was the founder of the system of the European alliance, which he says the enemies of the system industriously circulate with bad intentions. He says that the system arose from the course of events and the necessities of the times; that all were parties, and all the allied sovereigns equally entitled to the credit of it. In this instruction there is something of the Emperor's sagacity, something of his humility, and something of his vanity; for Alexander's humility is politic—and he is not a little vain of it. The instruction which he takes the pains of writing with his own hands relates entirely to his own person; and his Ministers in complying with it could not fail to set forth, by a due commentary upon this wonderful self-denial and lowly-mindedness of their master, the transcendent excellence of his character.

The other instructions were from the Russian Ministry, and related to various topics, one the affairs of Spain and South America, and another concerning those of the United States and Spain. Poletica is charged by all the means in his power to promote an amicable arrangement of the latter, but no opinion is given as to the merits of the controversy. Some apprehension is expressed that the Government of the United States, yielding to popular clamors, will have recognized the

independence of some of the South American Colonies before he arrives here; but if not, his orders are to use all his endeavors, with every suitable deference to this Government, to dissuade them from such an act of hostility to Spain. He is also instructed to use his powers of persuasion to prevail upon the Government of the United States not to associate itself with the European alliance, but to pursue a course of policy in harmony with them, hinting that a contrary course of policy could not be carried into effect, and that the United States, whether willing or not, must follow the impulse of Europe combined.

All this he communicated to me, not officially, but in perfect confidence, in return for that with which I had communicated to him the copy of the treaty with Spain. I entered into a long conversation with him upon these various topics, which is to be resumed hereafter. I assured him again of the unabated friendly disposition of this Government towards the Emperor, and of our earnest desire, without being associated with the European alliance, to pursue a course of policy entirely in harmony with theirs; that we were deeply penetrated with the importance of preserving the general tranquillity of the world, and had contributed our earnest efforts to it so far as it depended upon ourselves; that as to our differences with Spain, he had upon his arrival here found them amicably adjusted, subject only to the ratification of the King of Spain; that in agreeing to that treaty we had made very important sacrifices of our own claims for the sake of an amicable arrangement—things had come to such a pass that the only alternative was a treaty or a rupture; that if the King of Spain should ratify the treaty with the explanation to be given by Mr. Forsyth at the exchange of the ratifications, there was no prospect of any interruption to the general tranquillity by any relations of ours, but it was my private opinion that if the King of Spain should decline or delay the ratification of the treaty, Congress would at their next session authorize the occupation of the Floridas, and probably there would be a recognition at least of the Government of Buenos Ayres. I wished him to give this information to his Government. I related to him all that has been done by us

concerning the South American question; told him we were convinced that Buenos Ayres at least would maintain her independence of Spain; that sooner or later they must be recognized as an independent power; that we had thought the time would before now have arrived when they might justly claim this as a right, but that from the time when we learnt that the allies had determined, whatever might be the event of their mediation, not to use force against the South Americans, the President had concluded that we might also forbear to take an immediate decisive part in their favor.

He said there was doubtless a difference of opinion between us on this matter; that possibly Buenos Ayres might in the end be able totally to throw off the yoke of Spain, but that they were not competent to establish a regular and independent Government of their own. However, he declared in the most positive and solemn manner that Russia had no special alliance or peculiarly intimate connection with Spain; that the Emperor was utterly averse to all exclusive or partial alliances, and he had no particular engagements with Spain. The ships sent to Cadiz had been merely sold—a dear bargain—and without any intention of the Emperor to take side with Spain in her quarrel with the Colonies; though he (Poletica) had not approved of that transaction. He promised hereafter to show me all the protocols that he had of the conferences at Aix-la-Chapelle. The hour of five stole upon our conversation, which we agreed to resume at a future day.

We had an evening tea-party and dancing of cotillions at our house; about sixty persons came, and as many more were prevented from coming by the weather. Poletica asked me this evening what style of address he should use in writing official notes or letters. I told him without giving any titles of honor either to the President or the Secretary of State. He said he had always been aware that the title of "His Excellency" was not suitable to the President, but he had observed it was given here to the Governors of the States, and it was everywhere given in Europe to the officers corresponding to our heads of Departments. I told him the Governors of the States were "Excellencies" by the State Constitutions, but

that the Constitution of the United States recognized no titles of honor in the officers appointed under it, and that our point of honor consisted in the exclusion of all such titles. "Præfulgebant Cassius atque Brutus, eo ipso, quod effigies eorum non visebantur."

30th. I had some conversation with Crawford upon the state of affairs and the late events in Baltimore. The house of Smith and Buchanan, which has been these thirty years one of the greatest commercial establishments in the United States, broke last week with a crash which staggered the whole city of Baltimore and will extend no one knows how far. Buchanan, one of the partners, was President, and McCulloh, a creature of the house, Cashier, of the United States Branch Bank there. The affairs of the house appear to have been desperate for many years. But they were Tyrian merchants—princes—and princely expedients have they taken to save themselves from sinking. Their speculations in the United States Bank were to the amount of several hundreds of thousands of dollars, and have proved ruinous. But Buchanan and McCulloh have used the funds of the bank as if they were their own. The Congressional Bank Committee of the last session made a partial discovery of the state of affairs, and it was found that the debts of the house to the bank were enormous. Mr. Cheves, the new President of the bank, pursued the research, and found there were immense debts of the President and Cashier not secured. He obtained such security as he could, and then the Board of Directors at Philadelphia removed McCulloh, the Cashier at Baltimore. For a day or two there was great blustering in the Baltimore newspapers, as if the grossest injustice had been done to McCulloh; but the mine was blown up. Buchanan, the President of the branch, resigned, and a debt of nine hundred thousand dollars appears against the connection, little more than one-half of which is even supposed to be effectually secured. General Smith is reported to have gone distracted, and to be confined dangerously ill in bed. This explosion has brought on others: the failures are numerous and for heavy sums. The Presidents and Cashiers of other banks have been playing the same game as Buchanan and McCulloh.

One bank has suspended its payments, but is paying off its bills of less than five dollars. The Cashier of another has been removed, and there have been runs upon several, more or less severe, which they have hitherto been able to meet. The moral, political, and commercial character of this city of Baltimore has for twenty-five years been formed, controlled, and modified almost entirely by this house of Smith and Buchanan, their connections and dependants. It may be added that there is not a city in the Union which has had so much apparent prosperity, or within which there has been such complication of profligacy.

31st. Resumed the task of arranging the Convention journals and papers for publication. Among the papers transmitted to me by General Bloomfield was a plan of Constitution proposed by Alexander Hamilton, of New York. At the time when the Constitution was offered to the people, the principal objections against it were that it had too many features of, or, as Patrick Henry expressed it with more energy than elegance, "an awful squinting towards," monarchy. This objection was much urged during the whole Administration of President Washington and that of his immediate successor, my father. When Hamilton, as Secretary of the Treasury, came in conflict with Jefferson, as Secretary of State, and consequently with Virginia, this plan of his was often alluded to in party discussions as a proof of his propensities to monarchy. As it has never yet been published, it became a subject of extraordinary curiosity, and will again excite some public attention on the publication of the journals. The only remarkable facts in it are, that he proposes the tenure of office of the Chief Executive Magistrate and of the members of the Senate should be during good behavior, which of course, in ordinary cases, is a tenure for life. It seems Hamilton did not formally propose this as a plan for discussion, but read it as part of a speech. I wrote this evening to Mr. Madison and enquired on what debate, and when, the speech was delivered, with a view to print the paper immediately after the journal of the day.

*June* 1st. It has been established as a usage since Mr. Monroe came to the Department of State that the heads of Department

return the first visit, and no others, of the foreign Ministers. This usage differs from that of Great Britain and the European nations, where the Ministers of State return no visits of foreign Ministers except Ambassadors. I returned this morning the visit of the new Russian Envoy, Poletica. I called first at O'Neal's Hotel, where he had lodged, but found him at his house, to which he removed last Friday. It is that which was occupied by Mr. Bagot. He soon afterwards sent Lomonosoff to me at the office with copies of protocols at Aix-la-Chapelle, chiefly relating to the slave-trade, and an opinion concerning the treatment of Napoleon Bonaparte at St. Helena, written, as Poletica says, by Pozzo di Borgo, and presented to the Congress. It has been published in the newspapers that the Emperor of Russia had made a proposal at the Congress that the harsh treatment and imprisonment of Napoleon should be mitigated. It is exactly the contrary. This memoir insists that he should be treated with more rigor, harassed with more mortifications, and forced to submit to more daily and hourly insults. Napoleon said lately, "Ils me tuent à coups d'épingles." The Russian memoir thinks there are not pins enough employed, and throws in a paper more. I have some question why Poletica communicated this paper to me—whether it is merely to sound the opinion of this Government, or to take away the opinion that the Emperor Alexander has any feelings of generosity or of compassion for Napoleon. The memoir considers Napoleon as an outlaw, the common prisoner of all the allied powers, and whom they consider as having forfeited all the rights both of a sovereign and an individual. It pretends to a common jurisdiction of the allies not only over him, but over all the members of his family, and insists that they should be compelled to reside at the places assigned to them. As Joseph resides in this country, perhaps they intend to make the attempt of dictating to him some other place of abode. Napoleon has concentrated upon his individual person more of the hatred of mankind than any other individual of the age. He has, perhaps, done more evil than any man living. He attained to greater power than any one has exercised since the days of Charlemagne, and his abuse of power was in proportion to its extent. His fall was,

as punishment to him, the consummation of justice. No agony of sufferance can be too exquisite, no prolongation of torture too excruciating, for the depth and magnitude of his offences against his species; but he is punished by instruments, in a moral point of view, no better than himself—base and ignoble instruments—who, with all his depravity, have none of his redeeming greatness.

2d. After the journal of yesterday, I resumed the arrangement and preparation of the Convention journals for the press. It is truly "in tenui labor"—the longer I brood upon it the more protracted and unprofitable the toil becomes. The journals and papers were very loosely and imperfectly kept. They were no better than the daily minutes from which the regular journal ought to have been, but never was, made out. I find, on close inspection, a great number of questions, some of them important, entered on the loose sheets of yeas and nays, and not entered at all in the journal. I intend to have them all inserted at their respective places on the journal. There was one loose page of yeas and nays of which I had been able to make nothing until this morning, when I found it must have been the Secretary's first expedient for taking down the yeas and nays. The page is divided into thirteen columns, with the initials of the names of the States, from New Hampshire to Georgia, numbered from 1 to 13, at the head of the page; but no space is left on the page either to enter the question upon which the yeas and nays were taken, or the sum of the votes on either side. There are five successive sets of the yeas and nays taken, not summed up, and with nothing to indicate upon what questions they were taken. After these, the New Hampshire column is divided into two, upon which the sum of the yeas and nays on each question is entered, to the bottom of the page; and in eight instances, at intervals, the question upon which the question was taken is crowded into the square of the Rhode Island column. New Hampshire and Rhode Island were the two States not then represented, and their columns of course remained in blank after the yeas and nays were taken and entered. There are twenty-eight questions, the result of which appears upon this

page; on the other side of which is the name of Mr. Gorham, with seven strokes of the pen, and that of Mr. Rutledge, with one, by their side. This is obviously the noting down of the vote by ballot for a Chairman to the committee of the whole. The vote for Rutledge was probably Gorham's. He was at that time President of the old Congress. Before Jackson, the Secretary, had got half down this page, he found the want of spaces to enter the questions upon which the votes were taken, and the sums of the yeas, nays, and divided votes. The sheets that he afterwards used were divided accordingly; but he entered upon them only a part of the questions that he had already taken down on the first experimental page. He began with the question of a "Single Executive," which is the seventeenth on the experimental page. He entered it the first, on his book of yeas and nays, and then resorted again to loose sheets; after filling two of which he returned to his book, leaving blank pages apparently to have the contents of the loose sheets copied upon them. The single Executive question, being the first entered on the book, was the first with which I found the corresponding question in the journal of the committee of the whole; and from that time I traced the questions in the journals and collated them with the questions on the sheets of yeas and nays. This left, however, a number of questions on the journal of the committee of the whole, taken before that of the single Executive, but not noted either on the book or on the loose sheets of yeas and nays, and the yeas and nays upon which I had hitherto been unable to trace. This morning I first noticed the coincidence of the "Single Executive" question, the first entered upon the book and the seventeenth upon the experimental page; and immediately inferred that the sixteen preceding votes entered upon the page must have been upon the questions taken in the committee of the whole before that upon the single Executive. But to which question each set of the yeas and nays applied was yet to be traced out, the ninth and fifteenth of the questions being the only two entered upon the Rhode Island square. I traced the questions on the journal to the first taken in the committee of the whole, apparently by yeas and nays,

and was collating it with the first vote on the experimental page of yeas and nays, when the consumption of time in this petty research brought it to past noon, and I was obliged to break it off and go to my office.

4th. A man by the name of Jenkins, a writing-master, who said he originally came from Dorchester but belonged now to New York, came this morning with a printed sheet of texts of Scripture, prayers, verses, and pious admonitions against duelling, which he had the project of having reprinted. He had also a printed certificate, signed by all the clergymen of the place, and some others, recommending this device as exceedingly useful. He came to obtain my approbation and signature to the same certificate. I declined signing it, and told him I made it a general rule not to give certificates of recommendation for anything which, if useful, must carry its recommendation with itself. He then entered into a long argument to convince me that it was the duty of men whom Providence had placed in high situations to patronize and recommend poor and ingenious persons, who, for want of countenance in the world, were often robbed of their most useful inventions; as, to his knowledge, a Mr. Smith had been, and was consequently starving, with a large family of children; and as indeed he himself had been, of his system of handwriting. I gave him, I thought very temperately, my reasons for declining generally to give certificates of recommendation, and he went away. My wife, who was present, thought I had treated him harshly, and no doubt he thought so still more himself. I thought the man's anti-duelling printed sheet of Bible texts and prayers a device worse than useless—liable to the derision of scoffers, and utterly inadequate ever to prevent a single duel. To have recommended it would, with my opinions, have been to countenance an imposition upon the public. I felt it an impertinence in a man, a total stranger to me, to come and ask my certificate of recommendation to such mummery, and still more to open upon me a lecture of half an hour upon the duty of a man in high office to patronize and recommend poor and ingenious persons like him. I bore all this with composure, answered his allega-

tions on the duty of patronage, and said nothing passionate, or personally offensive to him; but my wife says that I looked all the ill temper that I suppressed in words. The result is that I am a man of reserved, cold, austere, and forbidding manners; my political adversaries say, a gloomy misanthropist, and my personal enemies, an unsocial savage. With a knowledge of the actual defect in my character, I have not the pliability to reform it.

At the office came Mr. Baptist Irvine, and gave me some further particulars from Venezuela. He is a fanatic to the South American cause, and sees everything through the medium of his prejudices. Such a person is always a bad observer. He and Worthington and Rodney and Brackenridge all stand looking in ecstatic gaze at South America, foretelling liberty to it as the Jews foretell the Messiah. Graham and Poinsett have not only seen more clearly, but in secret reports, which they are afraid of having published, have told the Government much of the naked truth. Bland alone, though he went out perhaps as great an enthusiast as any of the rest, saw the whole truth, and did not shrink from telling it out. His report contained more solid information, and more deep and comprehensive reflection, than all the rest put together; but he is now attacked for it. Irvine was desirous of going to Annapolis to see and converse with Commodore Perry, to whom I gave him accordingly a letter.

As from various symptoms I perceive that the late treaty with Spain will probably not be ratified at Madrid, and as the refusal will produce a reacting explosion here, I this day selected all the papers of the negotiation relating to the subject, and directed copies of them to be made, to have them ready for the meeting of Congress. I attended a tea and evening party at Mr. Weightman's. Had some conversation with Mr. Hyde de Neuville, who says the Spanish Government will not and cannot delay the ratification of the treaty on account of the grants; that he has proofs not only that Onis intended and understood that the three great grants were null and void, but that the Spanish Government knew that such was the intention and understanding. But these proofs, he said, he could only com-

municate to his own Government. He admitted, however, that Onis had been disingenuous, and had spoken indiscreetly upon these points after the questions arose; but he thought it was only for the sake of giving his Court the opportunity of making a merit of waiving any objection to the ratification.

5th. Mr. Poletica came and enquired if I had no objection to tell him the object of the expedition going out, as announced in the newspapers, under the orders of Commodore Perry. I told him, in confidence, that the object was to carry into execution the Acts of Congress relating to piracy and to the suppression of the slave-trade; to communicate the former to the Governments of Venezuela and Buenos Ayres, and at the same time to make representations to those same Governments against the privateering piracies carried on in their names and under their commissions. He said this would be rendering a real service to some of the commercial nations of Europe. He asked me if I had read the protocols that he had sent me. I had only read part of them. He asked if I had noticed Lord Castlereagh's memoir proposing the adoption of the principle of a right of mutual search for the suppression of the slave-trade. I had. He said it was a remarkable proposal, and had been resisted by the Russian Ministers. I said I hoped they would persevere in their resistance, for the British Government had made the same proposal to us and were very urgent in pressing us to its adoption; and I had observed that, notwithstanding the answer of Russia to the memoir to which he had alluded, and notwithstanding the still more decisive opposition of France at Aix-la-Chapelle, Lord Castlereagh, after having been, subsequently to the termination of the Congress, at Paris, had written to his Government that there was reason to expect that both France and Russia would ultimately yield the right of mutual search.

He said he did not know upon what grounds Lord Castlereagh could have entertained this expectation. He knew that both Nesselrode and Capo d'Istria, but most especially the latter, were determined against acceding to any such principle, and he knew that Count Lieven had received a reprimand in a rescript, or dispatch, signed by the Emperor himself, for having

received a memoir of the same kind and only answered that he would forward it to his Court, without undertaking to refute it. He said that Russia had no disposition to indulge Great Britain in her encroachments upon maritime law; that even at Vienna England had made a jealous alliance with Austria against Russia, whom she considered as the preponderating power in Europe and as having taken the place of France. At Aix-la-Chapelle they had even drawn Prussia into their system, and every day, as long as the Congress lasted, the Russian Ministers on arriving at the conferences invariably found England, Austria, and Prussia arrayed in opposition against them. France had, indeed, handsomely supported Russia in opposing this principle of mutual search, but Austria and Prussia would have acceded to it. As to the British allegation that this right of search would be reciprocal, it would be a mere sport upon words, while Russia had neither slave-traders nor armed vessels employed to capture them.

I told him that when the President returned I should ask leave to communicate to him the substance of what had passed between us and the British Cabinet relating to the suppression of the slave-trade.

10th. At the office I found Mr. Crawford, the Secretary of the Treasury, had been there with a letter from McCulloh, the Collector of Baltimore, to him, and a list of the cargo of a vessel now fitting out there to be sent to St. Thomas and sold for a slave-trader or privateer. She was originally a prize to one of the South American privateers; sold to a Baltimore merchant, who is now fitting her out for this laudable purpose. One hundred sets of manacles and fetters form a part of the cargo. McCulloh under these circumstances refused to clear out the vessel until he could receive the orders of the Secretary of the Treasury, to whom he wrote this statement of the facts; and Crawford, as he has done in many other cases involving an invidious responsibility, referred the papers to me, though the Department of State had no more to do with them than the Land Office. A Mr. Murray, sent by the owner of the vessel to hurry an immediate answer, came, and Crawford referred him to me. I went over to Crawford's office, returned him

the papers, and gave him my opinion upon them, which was that the equipment of the vessel was without doubt in violation of the law of 1818. Upon which Crawford asked me to write to the District Attorney and direct him to commence a prosecution. This I declined, because the law contemplates no such interference by the Department of State, and I see no reason for volunteering it. Crawford is enormously sensitive to this two-edged responsibility, which brings invective whichever side the decision is made. I find no fault with him for that, and when the responsibility falls properly to my own Department I never shrink from it. But Crawford's attempts to shift off his proper share of it upon me are not so well, and he has repeated them till they are as transparent as crystal. I advised him to write to the Collector that, as the law did not make it his official duty to seize and prosecute vessels in this situation, he must act upon his own responsibility, and prosecute or clear the vessel as he should think proper.

Crawford also told me much of the information which he is receiving with respect to the operations of the bank, and the gigantic frauds practising upon the people by means of those institutions. The banks are breaking all over the country; some in a sneaking and some in an impudent manner; some with sophisticating evasions and others with the front of highwaymen. Our greatest real evil is the question between debtor and creditor, into which the banks have plunged us deeper than would have been possible without them. The bank debtors are everywhere so numerous and powerful that they control the newspapers throughout the Union, and give the discussion a turn extremely erroneous, and prostrate every principle of political economy. Crawford has labors and perils enough before him in the management of the finances for the three succeeding years.

11th. My wife has made a translation of the first and second Alcibiades of Plato, from that of Dacier in the Bibliothèque des Philosophes. She made it for the benefit of her sons, and I this morning finished the revisal of it, in which I have made very little alteration. I read the first Alcibiades at Auteuil, in the year 1784, at the age of seventeen. The folly of that

presumption which would rush to the management of public affairs without a stock of knowledge concerning them, the meanness of setting up as the standard of our own acquirements those of our associates, the indissoluble union of moral beauty and goodness, the indispensable duty of seeking self-knowledge and self-improvement, and the exalted doctrine which considers the body as merely the mortal instrument of the soul, and the soul alone as man, made a deep and lasting impression upon my mind. The beauties of the composition did not then so much affect me. The dramatic character of the dialogue, though remarked by Dacier; the transitions from grave to gay, the playful but cutting irony, mingled with the deep pathos of the appeals of Socrates to the sense of shame in his vain and thoughtless yet ambitious disciple, struck me less than the pure and glorious moral sentiments inculcated in his discourse. The lessons of Socrates were lost upon Alcibiades; they were not entirely so upon me. Neither from them, nor from the moral principles that I gathered from other sources, have I derived all the benefit that I might have done. My conduct in life has been occasionally warped by the passions of my nature, by the frailty of my constitution, by the weakness of my head and of my heart. But it has always been my will, and generally my endeavor, to discharge all my duties in life to God, to my fellow-creatures, and to my own soul. I wish my sons to read, and to be penetrated as deeply as I have been with the lessons of, the first Alcibiades.

12th. We passed the evening at Mr. Hyde de Neuville's with a small party. He spoke to me of a man named Renovalés, now living at New Orleans, who first went there as a partisan of the Mexican insurgents, but afterwards sold himself to the Spanish Government, upon which affair it was that Onis sent Noëli to New Orleans. This Renovalés, De Neuville says, wrote some time ago to him recommending that France should reassert her right to Louisiana; and now he has written and sent to Spain a long memoir urging that the late treaty should on no consideration be ratified, as the object of the Americans is to overrun the province of Texas and Mexico. He was a mischievous intriguer, but it was to be hoped his memoir would

arrive after the ratification of the treaty, or that it would have no influence.

De Neuville was also very inquisitive this evening about the return of the President—whether he had been sent for, as was pretended in the newspapers, and whether it was likely there would be an extra session of Congress this summer. I told him there was no foundation for the stories that have been circulated; that the President had not been sent for, and there was no prospect of an extra session of Congress. And so according to present appearances it is. But how the collection of the revenue will stand through the summer is problematical, and if, as there are strong grounds for expecting, there should even be a delay to the ratification of the Spanish Treaty, there may be a call of Congress to meet before the regular period in December.

15th. Mr. Hyde de Neuville called to enquire if I had any letters from France by a vessel just arrived from Havre. I had none. He urged again his project for a Consular Convention, but I told him I doubted whether the President would be willing to conclude a Consular Convention without a general treaty of commerce. He had mentioned to me that there was a French squadron now in the West Indies, and that they had orders to take from any South American privateer, with which they meet, any Frenchman whom they should find on board. I remonstrated in the strongest terms with De Neuville against this order, as contrary to the laws of nations, as utterly useless for the suppression of piracy, and as giving pernicious countenance to the British practice and doctrine of impressment. After some discussion, he agreed with me on the principle, and promised to write to his Government concerning it. I desired him also to urge them to enter so far into relations with the South American Governments as to exercise an influence to prevent them from sanctioning the piracies committed under their commissions and flags. I promised to send him the Buenos Ayres privateering ordinance, and told him the substance of the instructions given to Commodore Perry. He appeared well disposed to second this movement, and we must mature this subject further.

17th. Mr. Poletica called at the office at one o'clock. He began by enquiring if the squadron under the command of Commodore Perry had been reinforced. It had not. An article which has appeared in some of the newspapers, erroneously stating that the Ontario was to join this squadron, gave occasion to the question, which, with every other circumstance in the conduct of Poletica, shows the close attention given to every instance in which we are employing an armed force.

But Poletica's special object this day was to tell me that the Emperor was earnestly desirous that the United States should accede to the Holy Alliance. He said he mentioned it now inofficially and confidentially, that it might be so communicated to the President; that if on consideration of the subject it should be concluded that on account of popular prejudices against this compact it would probably not be agreed to here, I might in a friendly manner let him know it, and he would avoid making any official proposal of it.

I told him I could say nothing positive upon the subject until after the President's return, but he knew the reason upon which Great Britain had declined acceding to that alliance. It was an autograph treaty concluded by three sovereigns in person, and not by their Ministers. But in Great Britain the King could make no national compact in person. There must be a responsible Minister to sanction everything. The English Prince Regent, therefore, could not sign the treaty, but declared his entire approbation of its principles. The Executive power in this country was still much more restricted than in England. No treaty could be concluded but with the concurrence of two-thirds of the members of the Senate, before whom it must be laid.

He said he should be perfectly willing that it should be submitted to the consideration of the Senate; that the British Government had indeed answered as I had stated, but the Swiss Republic had acceded to the alliance, and he would send me a copy of their act of adhesion. The treaty was nothing in specific engagement, it was everything in respect to general influence. It was a league of peace, and had hitherto preserved a universal peace in Europe. The Emperor wished the United States to

become parties to it, because in that case, if we had any little points of difference with European powers, with Great Britain for instance, he could interpose his influence in their favor.

I said it would at all events be advisable to ascertain what were the dispositions of the members of the Senate before it would be proper to lay the treaty before them; in which he concurred.

24th. I attended at Mr. Crawford's office a meeting of the Commissioners of the Sinking Fund. The object of his calling the meeting was to pass a resolution authorizing the purchase of public stocks generally, the resolution at the last meeting having limited the authority to the purchase of three per cents. It was therefore now resolved to extend the authority, with a recommendation to purchase in preference Louisiana stock, upon which a payment of nearly three millions of dollars is to be made on the 21st of October next, and, as that payment may be called for in specie, every portion of the stock purchased for the public reduces the amount which will be payable to individuals. The pressure of embarrassment among the people, arising from the depreciation in the value of our exports, from the excess of our importations, from the extravagant multiplication of banks and the unprincipled manner in which many of them have been managed, from the foolish facilities which they have furnished of contracting debts, and the necessity now compelling them to demand repayment, is increasing from day to day. The failures of banks in every part of the country are numerous; those of individual merchants in our principal seaports are still more so. County meetings have been held in the Western States, and in some of the Atlantic States, and petitions for special calls of their Legislatures and of Congress are in circulation, the object of which is to obtain suspensions of specie payment by law—an execrable device, of which the British Parliament have made the example infectious. Hitherto the counter-spirit is so strong that the expedients of desperation have not succeeded. The majority of the popular meetings have declared themselves against special calls of the Legislatures. The petition for the call of Congress has not met much countenance: several of the great failures which have happened were so notoriously occasioned by gambling speculations, and

have brought to light such scenes of dishonorable conduct, that they have had a tendency to make complaint itself disreputable. But the disease is only disclosing its first symptoms. New England scarcely yet feels it. They produce none of the great articles of export which have sunk within a few months in the foreign markets to half-price—cotton, tobacco, rice, wheat, and flour: on the contrary, as they import all these articles for their own consumption, the fall in their prices operates thus far to their advantage. They have been far less licentious in their banking practices, the banks in Boston never having suspended specie payments, not even during the late war. The Legislatures of all the New England States, except Vermont, have recently been in session, without receiving a single petition for the suspension of specie payments, or indeed any particular complaints of distress. But, as commercial and navigating, it will reach them by reflection from the South and West. The profits of commerce and of shipping must fall after the price of the exports has been so much reduced as necessarily to reduce in return the quantity of importations. The distress in that quarter will therefore come later, but it will come, and as in the mean while it will be continually growing heavier in the others, the day of desperate expedients may finally reach them all, and what I apprehend is, that paper money, with all its numberless evils, will be the consequence. Time and chance, that is, a superintending Providence, may work out a remedy. Would that it were within the means of my intelligence to compass it! Crawford said he had a letter from General Smith, of Baltimore, stating that he was irretrievably ruined—and quite unexpectedly to himself, for that he had implicitly relied upon his partner Buchanan, who had managed all the affairs of the house, and who always represented them to him as prosperous.

*July* 2d. Mr. Hyde de Neuville came to enquire if I had received late letters from France, and he spoke again of his project of a Consular Convention. I told him, as I had no powers to treat, it would be necessary for me to wait till the President's return to give him an answer, and that probably he would prefer arranging a general commercial treaty at the same time with the Consular Convention. He has this deeply

at heart, and it has invariably been an object of high importance to the French Government under the Bourbons ever since their first connection with the United States. It is all political machinery in the guise of Consular regulations. Mr. Jay's report upon the first Consular Convention, which I have read since De Neuville sent me his project, has disclosed to me the whole system. But De Neuville says unless there be a Consular Convention it will be best for France to keep no Consuls here, as it occasions expense, and the Consuls have no powers. He asked also whether he and Madame De Neuville should call upon Mrs. Monroe to take leave. As I could not answer him upon this subject, he said the foreign Ministers were placed in an unpleasant predicament by not knowing whether their visits would be received, and yet being unwilling to omit any mark of respect to the President's family which might be expected. I told him I would make some enquiry, and let him know the result.

4th. Mr. Hay came to tell me that Mrs. Monroe had determined not to receive the visit of Mr. and Mrs. De Neuville to take leave. He also entered into conversation upon General Jackson, the Seminole War, Arbuthnot and Ambrister—topics of which the interest has been for the moment revived by the debate of the 11th May in the British House of Lords, a debate in which the Marquis of Lansdowne took infinite pains to display his entire ignorance upon the long-prepared and pompously fore-announced subject of his own motion. Mr. Hay seemed desirous to hear me talk on this subject, and I freely indulged him. The proceedings relating to it in both Houses of Congress were so deeply tinged with electioneering colors, that the real merits of the question formed a very small part of the causes of discussion. The controversy will be probably renewed hereafter, and this, I presume, was the real intention of those who pursued it with so much inveteracy last winter.

5th. At eleven o'clock there was a procession from the Washington Hotel to the Congress Hall, on the Capitol Hill, where the Declaration of Independence was read by Mr. Anderson, the Comptroller of the Treasury, and an oration delivered by Mr. Richard Bland Lee, formerly a member of Congress. The procession was very small, and the oration reasonably dull. At

four o'clock I went to the hotel on the Capitol Hill, where there was a subscription dinner, at which the late Mayor of the city, B. G. Orr, presided. The dinner and management were very bad, and the company very small—less than forty persons, including the invited guests, the old Revolutionary officers. There were twenty-one toasts, but the State of Alabama being now the twenty-second State, I gave it as a volunteer; upon which Crawford, who seems to have thought I was encroaching upon his territories, gave—"The admission of new States on the principles of the Federal Constitution, that they should be *Republican*." This toast glanced at the failure of the Territory of the Missouri to become a State at the last session of Congress, owing to a restriction introduced by the House of Representatives excluding slavery from the State, and declaring free all persons to be born there after a certain period. The Senate struck out the provision, and the bill failed by the disagreement between the two Houses. The attempt to introduce the restriction produced a violent agitation among the members from the slave-holding States, and it has been communicated to the States themselves, and to the Territory of Missouri. The slave-drivers, as usual, whenever this topic is brought up, bluster and bully, talk of the white slaves of the Eastern States, and the dissolution of the Union, and oceans of blood; and the Northern men, as usual, pocket all this hectoring, sit down in quiet, and submit to the slave-scourging republicanism of the planters. Crawford, who sees how this affair will ultimately go, and who relies on the support of the slave-drivers, is determined to show them that he is on their side, and gave this toast to exhibit himself as their champion. On this particular question I did not approve of the attempted restriction upon the State of Missouri, because I believe it not compatible either with the Constitution of the United States or with the Louisiana Treaty. But I think Crawford's toast not remarkable for delicacy towards the Legislature, while the question is pending before them, and he an officer of the Executive Government. He also flatters himself with support from New York and Pennsylvania. I doubted a little whether this toast was altogether judicious, in reference to its

possible effect upon them. It may, however, pass unnoticed in that quarter. I was diverted at perceiving how it was brought out by my toast of Alabama, the simplest thing in the world, originating in the oversight of the managers in preparing only twenty-one toasts. I withdrew immediately after these volunteers were given.

9th. Morning bath. I received a summons to attend the Circuit Court of the District this morning, upon the trial of Mark and Francis Braconnier, two young Frenchmen living here and exercising the trade of silversmiths. They were indicted upon two charges—one, of having counterfeited the current silver coin, and the other, for having uttered counterfeit coin. I was summoned, on their part, to testify to their characters. I knew nothing of them personally, but Antoine[1] had occasionally employed them for work, and was well acquainted with them. Their character, as far as I had heard anything of it, was good. I attended the Court, and took Antoine with me. It was past noon before the trial came on. The evidence against them was, that they had passed to several persons about one dollar's worth of counterfeit sixteenths of a dollar, commonly called here five-penny bits; but there was no evidence of their having made them. The story that they told was, that a foreigner came some time since to their shop with a handful of these five-penny bits and ordered them to make waistcoat-buttons of those with the best impressions, and to take the rest for their pay. He had also ordered them to procure other five-penny bits and make buttons of them. They produced a witness who swore that he was at their shop when this man came and gave them the order and the five-penny bits. The strongest circumstances against them were, that, being silversmiths, they should have received and passed off these pieces for genuine money, the bare inspection of them being sufficient to show that they were not of good silver. The only explanation of which, consistent with their innocence, was, that coming from a country where genuine small coins

[1] A man-servant, originally from Savoy, who had been taken by Mr. Adams while at Ghent. He followed him to England and America, and continued in his household until the close of his Presidency, in 1829.

are made of debased metal, and being foreigners here, they might know these pieces to be bad silver and yet believe them to be genuine coins. They had also requested the attendance of the French Minister, who did not come, but sent Mr. Thierry with a certificate in their favor, and of the Viscount de Quabeck, who neither came nor sent. The trial lasted till past two o'clock, although the arguments of counsel, both for the prosecution and for the defendants, were very short. There was a silversmith upon the jury, who was sworn, and testified that he should have known by bare inspection that the pieces which were produced in Court, and which they had passed, were counterfeit. Walter Jones, the District Attorney, and of course the prosecutor, told me that there were bad reports in circulation against these men, and among the rest that when their shop was burnt down last spring coining instruments and a box of counterfeit half-dollars were found there. He asked a question of Mauro, one of the witnesses, whether he knew anything of this, or had heard such reports at that time. Mauro answered that he was at the fire, and saw everything in and about their shop; that he saw nothing of the kind, and never heard a surmise of it until within these two or three days. I left the Court-house before the jury came in with their verdict. They acquitted both the prisoners. Antoine entered his name as a foreigner intending to apply for naturalization after he shall have resided in the United States the five years required by law. I rode to my office, and was there informed by Mr. Brent that a vessel had arrived this morning at Alexandria, in thirty days, from Cadiz; the captain of which brought intelligence that the treaty of 22d February last, taken out by Mr. Forsyth, had not been, and was not likely to be, ratified. The cause was supposed to be the interference of the British Government. This account was in the City Gazette this afternoon, and Mr. Hyde de Neuville came this evening to my house much occupied with it. He had this day received a letter from Mr. De Mun, of 27th April, in which he says that the Spanish Ambassador at Paris was extremely dissatisfied with the treaty, and that the English Ambassador declaimed against it even in an indecent manner, from which he

concluded that the British Government would do everything in their power to prevent the ratification of the treaty. Mr. De Neuville was also much out of humor with the determination of the President's lady, Mrs. Monroe, not to receive Madame De Neuville on a visit to take leave.

14th. Alexander Wilson, a Quaker, belonging to Philadelphia, to whom, on the 24th of March, 1795, I gave at the Hague a letter to General Moreau, then commanding the French army at Utrecht, to enable him to pass through the army on his way to Hamburg, called to see me this morning. Soon after that incident he returned to Philadelphia, where, and on a farm within five miles of which, he has ever since resided. He has now a wife and children, and is returning from a summer excursion with them into the State of Ohio. He told me the course of his adventures after I gave him the letter until he returned to the United States, and he recollected the particulars of his transactions with me at that time more circumstantially than I did. I found, upon recurring to my diary, that he remembered them correctly.

16th. I called upon Mr. Calhoun, the Secretary of War, at his office, and we had much and various conversation upon the most interesting topics of the time in relation to public affairs. He thinks we shall unavoidably come within a year to a paper-money currency, and I believe he judges rightly. We shall come to it, and to all its unjust and cruel consequences—the last of which to be dreaded is a civil war between debtor and creditor. Mr. Crawford and Mr. Calhoun were afterwards at my office. Crawford wishes to employ two new revenue cutters to take a small piratical vessel roving between Mobile and Florida Point, but the captains cannot be commissioned till the President returns.

Mr. Poletica and Mr. Lomonosoff spent part of the evening here. Poletica will be a very troublesome personage. He concludes that Mr. Campbell will return immediately to the United States, because he has had the misfortune of losing in one week the three children whom he took with him to Russia; and Poletica enquired, as an affair of confidence, whether there was any chance that Levett Harris would be appointed the Minister

in his stead. He intimated that Harris himself had solicited him to use his influence to obtain the appointment for him. He made a number of impertinent observations about Harris's being a man of fortune, and about the necessity the President was under of appointing persons who had distinguished themselves by public services. He also remarked that Lord Liverpool and Lord Castlereagh used to make to the Russian Ambassador confidential communications like that which he now inofficially asked.

I told him that the heads of the British Cabinet knew beforehand who would be appointed to offices, for the appointments were made by them. I had not the same authority, and could not tell him whether, in the event of Mr. Campbell's return home, there would be any chance for the appointment of Mr. Harris. The event itself of Mr. Campbell's return so soon had not been anticipated, and there was now nothing but conjecture upon which its probability was inferred. I see that extreme circumspection will in future be necessary in my relations and intercourse with this man, and am very apprehensive that will not be sufficient to keep terms with him.

17th. Received a letter from the President of the United States, dated the 5th of this month, at Lexington, Kentucky. He shortens his tour, and returns by the nearest road to his estate in Albemarle County, Virginia. Received also letters of 1st May from G. W. Erving at Madrid. Forsyth had not then arrived there. These letters leave no doubt that the treaty of 22d February will not at present be ratified, and that everything concerning our relations with Spain is again afloat, under circumstances of greater difficulty than ever.

24th. I was swallowed up in calculations and meditations upon coins, currency, and exchange, the only excuse for which that I can devise is the connection of the subject with weights and measures, upon which I am called to report to the Senate.

25th. I plunge deeper and deeper into my enquiries concerning coins, currencies, and exchange. The deeper I go, the deeper and the darker appears the deep beneath, and although the want of time will soon force me to break away from the subject without even finding its bottom, yet it now

fascinates and absorbs me to the neglect of the most necessary business.

28th. Wading deeper and deeper into currency, coins, and exchange. At the office, Captain O'Brien came with another budget of papers for my examination. It is a great and painful effort to persevere in resistance to the importunities of claimants and solicitors without loss of temper. O'Brien is an old Irishman, who was once Consul-General at Algiers, chiefly because he had been nine or ten years a slave there. He was a master of a vessel, and is an exact copy of Smollett's novel sailors. His discourse is patched up entirely of sea phrases, and he prides himself upon nothing so much as his language. Eleven years after having had all his accounts settled, he comes and advances claims to an amount little less than thirty thousand dollars, without the vestige of a new document to support them. He brings me bundle after bundle of papers to read and examine, and persists, in spite of my assurance ten times repeated that I have neither authority to revise his accounts nor funds to provide for his claims. The great difficulty in such cases is to preserve good humor, and it has its inconvenience, too. For these importunate people take mildness for encouragement, and consume time and patience in proportion as they are endured. Mr. F. Adams, of Alexandria, brought me a letter from Judge Cranch. He has been appointed Consul at Trieste, but now applies for that of Marseilles, vacant by the recent death of S. Cathalan, and a better place. The candidates for it swarm, of course.

I received two packets of dispatches for Mr. Poletica from a Captain Vermilye at New York. He brought them from Havre, and they had been broken open and abused by pirates, who boarded and plundered the vessel on her passage. One of the packets was a commission to Mr. Ivanoff as Consul-General of Russia in the room of Kosloff. I sent them to Poletica with Captain Vermilye's letter. He came and showed me a dispatch from Count Nesselrode, dated in February, containing piteous lamentations upon the change of Ministry in France, and a warm panegyric upon the Duke de Richelieu, and he read me part of a private letter from Pozzo di Borgo,

dated 20th May, chiefly filled with speculations on French, German, Italian, and Spanish politics—all disclosing the Russian view of things. I showed Poletica the correspondence between the ex-King of Sweden, Gustavus, and the present King, Charles John.

*August* 2d. Captain Read, of the Hornet, arrived this morning with dispatches from Mr. Forsyth, but without the treaty, which it is now certain will not be ratified. Read left Madrid the 22d of June, and Cadiz the 2d of July. Mr. Calhoun soon afterwards came into the office, and I gave him the dispatches to peruse. He is to send them to Mr. Crawford.

3d. Poletica called at the office. He had called last evening at my house. His object was to enquire the news from Spain. I told him. He said he regretted much that he had not arrived here in time to have given Mr. Forsyth a letter to Tatischeff, the Russian Minister at Madrid, who had much influence there, and who, if for no other reason than his hatred to the English, would have used every effort to effect the ratification. I told him it was probable a messenger might be sent with dispatches to Mr. Forsyth, and he might yet have time to write to Tatischeff. He said he would; but then he intimated again the wish that we would accede to the Holy Alliance. Mr. Calhoun called at the office, and we had some conversation upon the present state of affairs. It requires deep deliberation, and wisdom from the highest source.

5th. Called at Crawford's and Calhoun's offices to show them the President's letter, and had a long conversation with them on the state of affairs, with a view of ascertaining their opinion what is to be done with Spain. My own is for measures of the most decisive character. They appear to be not quite prepared for them—particularly Crawford. Indeed, our relations with Spain and the peace of the country are thrown into a more dangerous and fearful crisis than they ever have been. Who can foresee the consequences of any political measure? A responsibility is again cast upon me under which all my natural powers would sink, and the issue of which may be the worst possible.

8th. I resumed for a very short time the preparation of my

report upon weights and measures, which has been long, very long, inexcusably neglected by me, to my great self-reproach. After dinner Mr. Calhoun called upon me, and rode with me to the President's house. We found him returned from his journey, with his companions, Mr. Gouverneur and Lieutenant Monroe. He is in good health, though much exhausted by a journey of five thousand miles, all south of this latitude and almost all in summer. While we were there, the Secretary of the Navy, Mr. Thompson, came in. We made our visit of about an hour. I took Calhoun home to his house.

9th. I called this morning at the President's. He appointed a Cabinet meeting for to-morrow at noon, and asked me to call on him before the meeting. He also fixed on Wednesday at one o'clock to receive Mr. Poletica, the Russian Envoy, to deliver his credentials, and Mr. Antrobus, the English Chargé d'Affaires, to deliver letters from the Prince Regent. At the office, Mr. Lomonosoff came with a note from Mr. Poletica enclosing a copy of his credential letter, and asking an audience of the President to deliver it.

10th. I have been watching every morning since the 1st of this month to observe the rising of Sirius, and this morning discovered him for the first time, coming from a cloud, and less than five minutes above the horizon. I saw him till he was about twenty minutes risen, when he vanished from the vision of the naked eye. It was half-past four when he rose, and I conclude that if the horizon had been clear I might have seen him about the 5th. There was a Cabinet meeting at the President's from noon till four o'clock. He proposed two questions for consideration: 1. Whether in the event of the non-ratification of the Spanish Treaty, at the meeting of Congress next December, it will be proper for the President to recommend to Congress that authority should be given to the Executive to take possession of Florida; and, 2. Whether a special messenger should be sent immediately with instructions to Mr. Forsyth, and what those instructions should be. Upon the first there was no diversity of opinion. The obligation of the King of Spain to ratify the treaty was by all present considered as perfect; his full power to Onis being unlimited, and con-

taining the promise without reserve to ratify whatever he should sign and conclude. It was unanimously agreed that it would be proper for the Executive to recommend to Congress the measure of taking possession, and it was observed that, from the experience in the case of the late war with England, Congress would not adopt the measure without such recommendation. It was also agreed that a messenger should be dispatched with instructions to Forsyth. The President inclined to the opinion that he should be ordered to declare that the ratification of Spain would be accepted, even after the lapse of the stipulated six months, if received here before the meeting of Congress in December; but that, if refused or delayed until that time, a full communication would be made to Congress of all the transactions relating to the treaty, with a recommendation that they should immediately authorize the occupation of Florida, not as an act of hostility to Spain, but as an assertion of our own right, rendered necessary by the breach of faith on the part of Spain.

Mr. Crawford thought Forsyth should be instructed to demand the immediate ratification, and, in the event of non-compliance, to ask for his passports.

Calhoun, on the contrary, thought he should be instructed to remain at Madrid, and not even come away upon leave of absence, leaving T. Brent as Chargé d'Affaires, as he is authorized to do, and intended.

The President embraced this opinion also. He thought that to order Forsyth to demand his passports would be equivalent to a declaration of war, which would not be advisable, as his intention was to limit measures of force entirely to the assertion of our rights, explicitly disclaiming at the same time all intentions of general hostility.

Crawford adhered steadily to his idea of instructing Forsyth to ask for his passports and come away. He thought it could not be taken as a declaration of war, but that it would intimidate the Spanish Cabinet and compel them to an immediate ratification. He was, however, alone in his opinion, upon which I said very little, leaving the discussion to Crawford and Calhoun.

I thought Forsyth's instructions should be, offering still to receive and transmit the Spanish ratification, to state that if not given the President would make a full communication to Congress on the subject, without saying that he should recommend the immediate occupation of Florida, but leaving that to be inferred by the Spaniards themselves. I thought a direct menace would be less dignified as regards Spain, and would leave the matter more free for debate in Congress, where umbrage might be taken if the Executive held out a threat to a foreign nation of that which it could not, without express authority from Congress, carry into execution.

This view was finally approved by the President, and I was charged to prepare the draft of an instruction to Forsyth, and also letters to A. Gallatin, R. Rush, and G. W. Campbell, that suitable communications may be made to the Governments of France, Great Britain, and Russia of the measures which we shall probably pursue. I was authorized also to communicate with Poletica and De Neuville on the subject. There was very little debate, and entire good humor, throughout the meeting. Crawford and Calhoun were the only members of the Administration present besides myself. Mr. Thompson, the Secretary of the Navy, was detained at his lodgings by illness, and Mr. Wirt, the Attorney-General, was absent at Richmond. We dined at the President's, and had a discussion at table about the Bible. I took a long evening ramble with Calhoun.

11th. Went to the President's shortly before one o'clock. Mr. Poletica came with Mr. Lomonosoff. I introduced Poletica to a private audience, when he delivered his credential letter and made a short complimentary address, which the President answered with equal brevity. Afterwards Poletica went and introduced Lomonosoff to the President, but I did not accompany them. Immediately after they had withdrawn, Mr. Antrobus came, and I presented him. He had two letters from the Prince Regent of England, which he delivered, one announcing the birth of a son to the Duke of Cambridge, and the other a daughter to the Duke of Kent.

These ceremonies being quickly dispatched, the President spoke to me on several subjects of business. There are several

appointments to be made. The office of Register of Wills for the County of Washington is one. A list of all the candidates and their recommendations was sent to the President. He named and remarked upon several of them, but came to no decision. Robert Brent has resigned the office of Paymaster-General. Frye, who married my wife's sister Caroline, is the Chief Clerk in that division of the War Department; has performed all the duties of Paymaster for the last fourteen months, Mr. Brent having been all the time confined by illness. Frye thinks himself in justice entitled to the appointment, but will not obtain it. Other more powerful and more favored candidates stand in his way—among the rest, Lacock, the late Senator from Pennsylvania, who hashed up last winter the crambe bis cocta of accusation against General Jackson and the President, by his report to the Senate on the Seminole War. The President spoke as if he was disgusted at Lacock's cringing for an office so immediately after making that report; but, as I suppose he is patronized by Crawford and will be bolstered by Senatorial influence, I conclude he will before long get into some office where he may intrigue with members of Congress, if even he should fail at present. As the President did not directly ask my opinion upon the case, I did not give one.

As to the office of District Judge for the District of Maryland, I found he appeared to have made up his mind in favor of Judge Bland. He did not indeed know that there was any other candidate. I told him of the application and recommendations in behalf of Glenn, the District Attorney, and of the letter of Mr. Brackenridge, offering his services in the office. Brackenridge himself had been this morning to my house, and had also called at the President's and seen him, but had not asked for the appointment.

I told the President of the objections made against Bland, and of the deposition which implicated him as personally interested in the Baltimore privateering pirates. He directed me to send it over to him. He also gave me a letter from the Selectmen of Boston to the Secretary of War, complaining of an insulting letter from a Lieutenant James Scallan to Franklin Dexter, who delivered the Fourth-of-July town oration, for an

indirect fling in the oration against General Jackson. The oration, Scallan's letter, which charges Dexter with having uttered an *untruth* and tells him where he is to be found, and another letter from Scallan to the Selectmen disclaiming any intention of giving offence to any of those of Dexter's hearers who approved the sentiment which had irritated him, were with the letter. The President said the subject involved a variety of very delicate considerations, and asked me to take and peruse the papers and give him my opinion upon what was to be done. At the office, Mr. Thompson, the Secretary of the Navy, came to enquire whether the President had determined to send the Hornet and a special messenger to Spain, and to ask if I would remove into the new public building opposite the Treasury. It had been understood till now that the War and Navy Offices were to remove, and I was to stay. But Mr. Thompson now wishes to remain, and I agreed to go, provided I should have room enough for accommodation in the new building.

12th. I was engaged upon the draft of a very important dispatch to Mr. Forsyth, and the heat of the weather almost unremitted, with myriads of flies, bugs, and vermin of all filths, adds to the discomforts, if not to the anxieties, of this occupation. This morning Antoine killed a brownish snake, two feet long, in the house, at the foot of the staircase in the entry.

13th. Captain Read, of the Hornet, called at my house; he wishes to return to Spain, and to be himself the bearer of the dispatches to Mr. Forsyth. I called at the President's, and there met Mr. Calhoun. We spoke of the complaint of the Selectmen of Boston against Scallan, and the President asked my opinion.

I said I had found a difficulty in settling principles in the case. Scallan, of whom I have no other knowledge than from this affair, had rashly and foolishly written an insulting letter for a sentiment uttered on a public occasion in an official capacity under the corporate authority of the town of Boston, for which, it being the place of my own residence, I had a peculiar regard and respect. It was impossible for any one more strongly to disapprove this act than I did; but a serious question with me was, whether it was punishable by the Presi-

dent of the United States. The view taken of it in the letter of the Selectmen was a partial one—as a military offence against the civil authority. It was not a military offence merely because committed by a man holding a military commission. If punishable at all, it was as a breach of discipline, for which he should be tried by a Court-martial; but there was a precedent, under the administration of my father, which showed his opinion that the President of the United States could not with propriety take cognizance of it. I alluded to the complaint of John Randolph against Reynolds, an officer who insulted him at the theatre for a speech in the House of Representatives, in which he had insulted the army. Randolph complained of it as a breach of the privileges of the House, and the President sent the complaint to the House, as the judges of their own privileges.

Calhoun said his impression was that the President should instantly dismiss Scallan from the service without trial or further enquiry. There was no question about the facts. They were admitted by Scallan's own letters. It was not a case for trial by a Court-martial, for it was a military offence against the civil authority—a case in which a Court-martial had too much of their own feeling involved to be a competent tribunal, and which the President ought in the most summary and decisive manner to punish. The President's authority to dismiss an officer from the army was absolute, and he was not obliged to assign any reason for exercising it; and as to the precedent, it did not apply, because the House of Representatives had the power to punish breaches of its privileges, but the town of Boston had not.

I then insisted upon the equity of the principle of hearing the other side; admitted the absolute power of the President to dismiss an officer, but insisted that it ought to be exercised with great discretion, and only for just and powerful reasons; that the act of Scallan was punishable at law, or it was not. If it was, there was no occasion for the interposition of the President. If it was not, the President was required to punish, without hearing him, a man who had violated no law. And if the President was to assume a censorial power without regard to

the law over every man holding a military commission, what would be the condition of the army? I referred to the publication last spring in the National Intelligencer by General Jackson, or some of the officers in his suite, against Lacock, and the report of the Committee of the Senate, and asked upon what principle they could have been overlooked if Scallan was to be cashiered. The President then said that the subject was of so very delicate a nature that, as a precedent was to be settled, he would take the opinion of the whole Cabinet, and he directed me to pass the papers over to Mr. Crawford and Mr. Thompson.

The President determined that Captain Read should be sent with the dispatches to Mr. Forsyth.

16th. At the President's, I read to him the draft of a dispatch to Mr. Forsyth, which he approved in the main, but questioned some of the expressions, as I knew he would, and which I inserted rather with the view that they should be finally expunged than retained. I have indeed found the expediency of introducing some such matter into every important draft, to absorb that portion of the objecting spirit which must find exercise upon something, and which, if alloy be not provided for it to cast off, is apt to fall upon the pure metal itself. He desired me to pass the draft over to the other members of the Administration for their perusal, and to appoint a meeting at his house, to pass upon it finally, to-morrow at one o'clock. I gave it accordingly to Mr. Calhoun, requesting him to pass it over to Mr. Thompson.

17th. Mr. W. Pinkney came to speak about the settlement of his accounts. The questions relating to them are for contingent expenses at Naples, Vienna, and St. Petersburg, and also of the time when his salary was to commence—7th March, 1816, the date of his commission, or 15th May of the same year, when he was about to sail upon his mission. I told him I would submit the questions to the determination of the President. He says that, although he was very kindly and generously treated by the Government in those missions, he has been more than ten thousand dollars out of pocket by them.

There was a Cabinet meeting at the President's, attended

by Messrs. Crawford, Calhoun, and Wirt. Mr. Thompson was too unwell to attend, and this evening left the city to return to New York. My dispatch to Forsyth was read and scrutinized. The passages which I had foreseen would be objected to were expunged, and two or three other slight alterations were suggested and adopted. This sifting and revising of every important paper that I write is not flattering, nor very agreeable, but the President submits his messages to the same process. There was little discussion upon the principles maintained in my dispatch, though Mr. Crawford and Mr. Wirt started objections to the stress of my argument upon the unqualified promise of the King of Spain, in Onis's full power, to ratify whatever he should sign. There is no difference of opinion in the Cabinet with regard to what is to be done in the event of the treaty's not being ratified by Spain before the meeting of Congress; but the field for diversities and oppositions will then arise. When the examination of the draft had been gone through, and the amendments made, the President directed that it should be copied and dispatched as soon as possible.

The President referred also the subject of the complaint against Lieutenant Scallan by the Selectmen of Boston for consideration. Mr. Crawford gave no opinion upon it. Mr. Wirt took stronger ground against the complaint than either Mr. Thompson or I had taken. He said that the passage in Dexter's oration which gave rise to the quarrel was a gross and outrageous insult upon the President and his Administration, as well as upon General Jackson and the army; that Scallan, having been an officer serving in that campaign, felt it as a personal insult to himself, as every man of honor and sensibility would have felt it under the same circumstances; that he was perhaps wrong to notice it precisely as he did, but it was under such provocation that the Selectmen should have considered it as a personal affair between Dexter and Scallan, with which they had nothing to do; that if the President of the United States should make himself the judge and punisher of every Fourth-of-July brawl, he would soon find occupation enough upon his hands, without attending to anything else.

Mr. Calhoun made no further observations upon the subject, nor did the President come to any determination concerning it.

He proposed that a proclamation should issue against an unlawful military expedition lately organized and now in full operation against the Spanish province of Texas, bordering upon the southern boundary of the United States. This was unanimously agreed to, and without discussion. I mentioned Judge Bland's request to see and have a copy of Sands's deposition affecting his character. This and several other depositions were communicated to the Government in confidence. They were obtained not for any purpose or with any view affecting Mr. Bland, but generally for information concerning the Baltimore piratical privateers. But when I saw the influence at work to get Bland appointed precisely to this office—the judge to try those very offenders—I felt it a paramount duty to submit the deposition to the President. Within twenty-four hours Mr. Bland was informed of it, and post he comes from Baltimore, with W. Pinkney, the counsel of all the pirates and the dictator of the Maryland Bar, from Annapolis, to carry the office by storm. On the question whether Bland should have a copy of the deposition, Crawford volunteered an opinion that he should have it, and argued rather sophistically that there could be no breach of confidence in letting him have it. The President, without deciding the point, gave the deposition to Mr. Wirt, to examine and give his opinion. All the discussions were smooth and perfectly amicable.

18th. Messrs. Bland, Worthington, and Hogan were at my house this morning, and Bland afterwards again at my office. I read to him the parts of Sands's deposition which related to himself. Sands was one of the owners of the privateer which perhaps of all others has committed the greatest excesses. His deposition names all the owners, charges Bland with having frequently been at their meetings, held at his (Sands's) house, where Taylor lived, and declares the opinion, founded on a variety of facts, that Bland had a pecuniary interest in the privateer covered under the name of W. Wright. It relates particulars of an occurrence at Skinner's, which, if true, would not leave a doubt of his knowledge at least of the privateering

transactions. It states also that Commodore Taylor (the man who first commanded the privateer) had told Sands that Bland, at Buenos Ayres, had offered Taylor a passage in the Congress frigate, but that another of the Commissioners had objected, and Taylor had been obliged to take out his baggage, which was already on board.

Bland declared that it was all slander; that there was not a particle of truth in the charges; that he never had any interest in any shipping concern whatever; that he never knew where Taylor lived at Baltimore; that Skinner, Karrick, and Wright would all deny the fact of his ever having been at their meetings, and that he had left the Congress frigate at Montevideo and never returned to her. He was exceedingly agitated and distressed. The workings of passion upon his countenance were stronger than I ever witnessed on a human face not tortured with physical pain. It alternately flushed and turned pale, while his lip quivered and his eye turned as if instinctively away from the scrutiny of inspection.

My own feelings were deeply harrowed in sympathy for him; and yet, from the mode of his denials, the impression left upon my mind was, that if not interested in the privateer, he knew more of all the transactions than he was willing to avow. It seemed as if there was mental reservation in all that he said. His general denial was positive and explicit enough, but his denials of specific facts were faint and rather evasive. It was rather an assertion of other facts, which seemed incompatible with the fact charged, than the denial of the fact itself.

I told him before reading to him the extract of Sands's deposition that, although the witness's name could not be mentioned to him, the very facts charged in his testimony might probably disclose who he was. And after I had read, though he declared he never knew where Taylor lived, he did not deny that he knew who it was that made the deposition. In the morning, at my house, he urged with extreme earnestness that, as his name had been brought forward as a candidate, if he should not be appointed the general impression of the public would be that the Executive considered him guilty,

which would be ruin to his good name. Now, this conclusion was not sound, and I reasoned with him against it; but without effect.

At my house he entreated that the President would suspend the appointment until the trials shall be gone through, and he could have time and opportunity to vindicate his character. I made the proposal to the President, but he said that to suspend the appointment would be, in some sort, to give a pledge that if the mere fact of personal interest in the privateers should be disproved, Bland should be appointed, which pledge it would be improper to give. In the midst of Bland's exasperation he broke out in an invective against the Spanish Consul at Baltimore, and the Abbé Correa, the Portuguese Minister, for their activity in the prosecution of these privateers, and said he had reason to believe they had used subornation of perjury against him.

I told him that as to their activity, it was not only to be expected from them on this occasion, but was enjoined upon them as a duty. But what motive could they have for fixing a groundless charge upon him? And I asked him whether, entertaining such opinions of them, he thought himself an impartial judge between them and their adversaries?

He said he did not think he should be. He finally left me in the deepest dejection, and saying that he knew not what he could do.

21st. Judge Bland came with a number of papers which he had procured at Baltimore, to discredit the reputation of Sands and his deposition against him. They do entirely discredit him. I firmly believe that Sands's deposition is false in every particular that he states respecting Bland; yet my opinion is unimpaired that Bland is one of the last men in the United States fit to be appointed as the judge of those very persons and crimes with which he has been thus charged with participating. Bland said his only object in procuring these papers was to restore himself in the President's good opinion and mine.

I took the papers to the President, with whom I found Mr. Crawford. He was proposing the appointment of a captain for the revenue cutter at Baltimore, for which several persons

were recommended, and among the rest a man named Webster, who not three months ago was a lieutenant of a Buenos Ayres privateer. This man, too, is now here to drive his own appointment in person. Crawford himself very manifestly leaned towards appointing him, though he was wary as a Jesuit in his mode of recommending him; for he alternately mentioned the recommendations of a competitor, with so much force and candor that it had every semblance of impartiality.

The President wavered a long time, and repeatedly made so very light of the man's connection with the piratical privateers that I strongly apprehended he would decide in his favor. As this appointment was not of the resort of my Department, I said nothing. The President did not ask my opinion, though both he and Crawford continued long the conversation, it appeared to me, with an anxiety to elicit some remark from me. I was determined not to speak unless required, and the President finally, though somewhat irresolutely, said he thought it would be safest to appoint the other man.

Crawford acquiesced; and yet I shall wait to see who will at last get the commission. Baltimore upon privateering and banking is rotten to the heart. The revenue cutter is the only check upon the movements of the pirates in our waters. Beard, the late captain, connived at them, and favored them in gross violation of his duty. He has been removed; and now one of the pirates is thrust forward to take his place, recommended by almost every one whose recommendation has any influence —that is, by the whole gang of pirates and their abettors.

The President had also a letter, just received, from Mr. Pinkney since his return to Annapolis, pushing again for the appointment of Bland, in a manner which I consider as very indelicate. Pinkney is the standing counsel for all the pirates, who, by browbeating and domineering over the Courts, and by paltry pettifogging law quibbles, has saved all their necks from the richly-merited halter, and palms upon the President for their future judge a man strongly, though I believe falsely, charged with being their accomplice, but whose connections with them have been so close, intimate, and notorious that it is as impossible he should be an impartial judge upon them as

that he should have escaped the suspicion of being privy to their misdeeds. I left Bland's papers with the President, who will send them back to me to-morrow.

22d. Mr. Bland was here again this morning. I told him that I had read the papers which he brought yesterday, and had left them with the President, who had also promised to read them. I was fully satisfied that no credit was due to Sands's deposition against him. He then told me that the Grand Jury last November had indicted several persons upon Sands's testimony; but in May last they had indicted Sands himself. Bland repeated that his only object had been to clear himself of the charge against him in the deposition, and asked if there was anything else that he could disprove; if there was anything behind. I told him there was nothing in any responsible shape, nothing to which any name was attached. But there were, and had been, floating rumors and suspicions, even before he went to South America, which had arisen from his known and avowed attachment to the South Americans and their cause.

He said that he had always entirely disapproved of the Baltimore privateering, and had deeply regretted that his kinsman, Mr. Skinner, was accused of being concerned in them. He is to call again at my office to-morrow for his papers.

23d. At the President's I found Mr. Crawford and Mr. Calhoun. Webster was again on the tapis for the appointment of captain of the revenue cutter at Baltimore, and Crawford was taking a second decision of the President. I collected from what was said that the President adhered to his determination of Saturday. When he takes his bias, he is seldom to be moved from it; and yet I am not confident of the result of this appointment.

I read the draft of a circular letter to the Ministers of the United States in Europe concerning the new instructions just dispatched to Mr. Forsyth. The draft was approved. At the office, Mr. Bland came and took his papers, and, by the President's direction, I wrote him a letter declaring the President's full persuasion that the imputations against Bland, of having had a personal interest in the piratical privateers, were utterly without foundation.

NEW YORK, 26th.—Landed at ten in the evening. We took lodgings at the City Hotel. As my project was to proceed at eight o'clock to-morrow morning in the steamboat to New Haven, and I was desirous of seeing Mr. Hyde de Neuville, I went out in search of him, first to Mr. Cruger's, according to the direction given me by Thierry, which was erroneous; and then to the Count d'Espinville's, the French Consul's. I roused him from his bed, and held a dialogue with him, standing at the door of his house, and he in his night-cap, with his head out of the chamber-window, like the scene in Molière's "George Dandin." He told me that Mr. De Neuville was very anxious to see me, and had waited until six this evening in the city, but had then gone seven miles into the country. I told him I must leave the city at eight o'clock to-morrow morning, and desired him to say to Mr. De Neuville how much I regretted having missed the opportunity of seeing him here. After returning to my lodgings, I concluded to stay here till next Monday, instead of going on to morrow.

27th. Between seven and eight o'clock this morning Mr. Hyde de Neuville came in to my apartments at the City Hotel. The Count d'Espinville, the Consul, had sent an express for him into the country in the night, and he came immediately to the city. It was, however, already too late for us to go in the steamboat for New Haven this morning, and I persisted in the determination to wait till Monday. I had an hour's conversation with Mr. De Neuville, and a second when he came again at one o'clock. He showed me a letter from Mr. Onis, dated 6th June, at Liverpool, immediately after his arrival there. He had nothing, however, very recent from Europe. He is undoubtingly confident that the King of Spain will ratify the treaty of 22d February last—an opinion in which I do not concur. De Neuville himself had the Grand Cross and Ribbon of the order of Isabella, which includes the title of Excellency, bestowed upon him by the King of Spain for his services in the negotiation; but this was at the first moment, when the treaty was received as an advantageous bargain to Spain, and before the party against it had obtained the ascendency.

I told Mr. De Neuville the measures which the President has

determined to recommend to Congress in this case, and the substance of the instructions just dispatched to Mr. Forsyth. The Hornet, Captain Read, sailed with them from this place on the 24th. De Neuville said he had concluded what the course of this Government, in the event of the non-ratification of the treaty, would be, and had written more than a month since to his Government that Florida would be occupied. He spoke also of the observations upon the eighth article of the treaty, which I had lately sent him, and expressed the wish that the part of them referring to his telling me that Mr. Onis made it a point of honor that the article should be so drawn as to annul the grants, because he had been charged with being interested in them, might not be published. He admitted that he had said something like it, but said the expression of Onis's having made it a point of honor was too strong; that Mr. Onis certainly knew that the grants were annulled, but that he should make a point of honor of annulling them would have been a violation of his instructions which no personal purpose of vindicating his character could have warranted; that much of what he had said to me had been confidential, and rather as from man to man than as from a Minister to the Secretary of State, and that it would be extremely painful to him to see anything published as coming from him which would tend to injure Mr. Onis and compromit him with his own Government.

I told him that those observations would probably not be published, and I would endeavor to preserve from publication everything which might be disagreeable to him; that the observation, to the publication of which he objected, had been of some importance in reconciling us to a modification of the article, because its tendency was to convince us that Mr. Onis had no design to protect these grants, or to raise any question concerning them; that throughout the whole transaction his (De Neuville's) conduct had been candid and honorable, but that of Mr. Onis had been far otherwise; and the coloring which he had attempted to give to the article of the treaty in question to Mr. Poletica and others in Philadelphia could be designated by no other terms than as positive falsehood—state-

ments which he not only knew to be false, but which would be contradicted by his own written declarations.

De Neuville said that perhaps Poletica ought not to have told what Onis had said to him, and that we ought to make some allowances for Onis's situation. He saw that Casa Yrujo, the Minister under whose instructions he had concluded, had been disgraced. He was going home himself under no small anxiety what his own reception would be. He wished, therefore, to secure some possible retreat for himself, and seized hold of this to say to the King that it was a point upon which he might, if he pleased, refuse the ratification of the treaty; but then he will point out the consequences in such a manner that the King will see there is no other safe alternative, and I might rely upon it the treaty would be ratified.

I said I wished it might, but had no expectation that it would. So far as related to the benefits derived by the United States from the treaty I felt little concern, being satisfied that we shall get more without the treaty than with it. But what I wanted was mutual satisfaction, good humor, and harmony of purpose with Spain and with France; and I was not desirous that the King of Spain, and kingly government in general, should be held up to the world in that odious and detestable light in which this affair would expose them if the treaty should not be ratified.

De Neuville also spoke to me about his project for a Consular Convention, and the claims of the French Consul at Philadelphia to take possession of the property of a Frenchman lately deceased there. He says that letters of administration had been granted, in opposition to this claim, to an American citizen, but there was yet time for the Consul to appeal.

I told him I had begun an answer to his letter enquiring what were the powers of foreign Consuls in this country, but had left it unfinished on receiving accounts of a judgment by a mere tribunal of commerce against R. G. Beasley, our Consul at Havre, in direct opposition to a letter from the late Minister of the Interior, L'Ainé, and also contrary to that abstract from the instructions to the French Consuls which he had sent me, describing the privileges which French Consuls might claim

in foreign countries, on the principle that they are allowed to foreign Consuls in France. It had immediately occurred to me that if in France a judicial Court of the very lowest order—a mere tribunal of commerce—could adjudicate in direct opposition to the decisions of a Minister of State on a point of Consular privileges, I could certainly give no general definition of such privileges, as of right belonging to foreign Consuls here, which would not in like manner be liable to reversal by the sentence of a judicial tribunal. And caution was the more incumbent upon me, as, besides the general privileges attributed to Consuls by the laws of nations, which were very indefinite and unsettled, I could only state that foreign Consuls enjoyed here the same rights which the laws of the United States authorized our Consuls to exercise in foreign countries. But even this would only be an inference of mine, which our judicial Courts might contradict, as those in France had overthrown the decision of the Minister L'Ainé. One thing, however, I could tell him was, that foreign Consuls here were subject only to the jurisdiction of the highest tribunal of the nation, the Supreme Court of the United States. He said that L'Ainé's decision had certainly been wrong, but it was his own fault. He ought to have had it given in the form of a royal ordinance.

BOSTON, *October* 8th.—At one I went with Joseph Hall and General Sumner and dined with Governor Brooks at Medford. There was no other company. Soon after dinner, Hall and Sumner left the table to go and pay a visit to Mr. Bigelow, the Speaker of the House of Representatives of the Commonwealth. The Governor, when we were left tête-à-tête, began by asking my opinion with regard to the separation of the District of Maine from the State. I gave it to him without reserve, that it was an event much to be lamented, as affecting the importance of the State as a member of the Union, but quite unavoidable from the moment that it became the wish of the majority of the people in the District. Massachusetts has been hitherto, in point of population and wealth, one of the first States in the Union. It will henceforth scarcely be the tenth. The additional weight of two votes in the Senate of the United States is a very inadequate compensation for this loss of comparative

importance. It appears to be the general opinion here that this event will render necessary a Convention to revise the Constitution of Massachusetts.

The Governor did not dwell much upon this topic, but passed very soon to a claim of this State upon the Union for a million or twelve hundred thousand dollars, expended during the late war in defensive measures by the militia. In the career of opposition to the General Government which that of Massachusetts then pursued, they refused to place the militia under the command of an officer of the United States, upon a construction of the Constitution of the United States by the Judges of the Supreme Judicial Court of the Commonwealth, for which nothing but the depraving and stupefying influence of faction can account; the immediate consequence of which was that the expense as well as the command fell upon the State. And now, after the war is over, the State calls upon the Union to defray the charge, which has of course hitherto been declined. The expenditures are of the same kind with those which have been paid by the Union in all the other States, even in Connecticut, a State the temper and conduct of which, during the war, were quite as refractory against the General Government as those of Massachusetts, but which, when called upon to place the militia under the command of an officer of the United States, was too wary to incur the consequences of a refusal, and complied. The federal party, by which the opposition to that of the Union was managed, have lost the control of Connecticut, and of all the other New England States, but still retain their ascendency in Massachusetts. They are now claiming to be refunded the expenses which, in the wantonness of their pride and obstinacy, they assumed upon themselves, and, with their usual political discernment, they expect to obtain it without disavowing the defiance of the Union, which released them from all obligation to bear the burden.

I told Governor Brooks that, as a native of Massachusetts, it would give me the greatest pleasure to serve the State, and I would, on my return to Washington, consult the President, to ascertain if any satisfactory arrangement of this affair could

be made. But it must ultimately depend upon Congress; and the difficulty there would be that the Union cannot assume those expenses without sanctioning the principle of its own dissolution, involved in the opinion of the Supreme Court of Massachusetts upon which the State acted.

The Governor gave me to understand that he had always disapproved that opinion of the Supreme Court; that there had been almost a misunderstanding on the subject between him and the late Governor Strong, who was entirely swayed by the then Chief-Justice Parsons, the identical man whom the State of Massachusetts has to thank for being in this trouble. He was an eminent lawyer, a man of extraordinary intellectual powers, of deep research and extensive learning, of brilliant and ever ready though coarse and vulgar wit, and in his domestic and private relations amiable, benevolent, and upright. But he was a cunning man. His wisdom was left-handed. He was not only addicted to finessing and trick, but he had the weakness to be vain of his artifices, and was always telling of the persons whom he had duped, and sometimes boasting of it in cases when he had in reality been duped himself. The pride of his heart was to overreach, and in this, as in many other instances less important, he overreached himself. He was, withal, a timid man, ready enough to push others into danger, but easily frightened to shrink from it himself. In this very case, after leading the Commonwealth into this quagmire, before his death he disavowed the opinion which had involved the State in this contest, and acknowledged that it was erroneous.

Brooks says that practically the opinion was very soon done away, and by means of a general order which he insisted upon Strong's issuing; but I know not exactly what he means. The militia were not placed under the command of officers of the United States; the Legislature of the State have never disavowed the principle of Governor Strong's refusal to comply with the requisition from the Secretary of War to that effect; and when resolutions importing such a disavowal were introduced last winter into the Senate of the State, they were rejected, and all the principles of resistance to the General

Government were reasserted with as much ardor and stubbornness as if the war were yet raging. In this state of things it is waste of time and of temper for the State of Massachusetts to apply to have that money refunded.

WASHINGTON, 20th.—Mr. Ecky came to the office, and brought a number of papers relating to the claims upon the Swedish Government, for which he was an agent. Of all the robberies which were committed upon the property of the citizens of the United States by the various Governments under the control of Napoleon at the time of his power, those of the Swedish authorities in Pomerania are the most shameless and inexcusable. For although the seizures there, as elsewhere, were made at his requisition, they were actually released and discharged by his orders, but were still detained and appropriated by the Swedish officers themselves. Hughes has written that he was informed from very respectable authority (Baron Rehausen) that, according to the universal impression, the whole money, proceeding from this pillage of Americans, went into the private pockets or purses of Count Engeström, the Minister of Foreign Affairs, and of Baron Wettersted, the Chancellor. There has been more shuffling and equivocation, too, by the Swedish Government in the discussions upon these claims than by any of the other Governments upon claims of a similar character. Wettersted invariably admitted with Ecky the justice of the claims, and the obligation of the Swedish Government to discharge them. They offered Ecky to pay him in cannon, or articles for which he could have no use, and of which he could not dispose; but when Mr. Russell came to present the claim with the sanction of this Government, they answered by allegations which they knew to be false, and by denying their obligation to indemnify the sufferers, which they had before, time after time, recognized. I read to Ecky the letter from Hughes, which unfolds the tale so creditable to Count Engeström and Baron Wettersted; at which he was much astonished. He said, however, he should not yet despair of ultimately obtaining something, were it but cannon-balls, lead, or saltpetre.

24th. Attended public worship at Mr. McCormick's church. He read the morning service for the twentieth Sunday after Trinity, and a sermon from Psalm cl. 6: "Let everything that hath breath praise the Lord. Praise ye the Lord." Since I have now resided at Washington I have not regularly attended at any church—partly because I have permitted the week to encroach too much upon the Sabbath, and have not been sufficiently attentive to the duties of the day, but chiefly because, although the churches here are numerous and diversified, not one of them is of the Independent Congregational class to which I belong, the church to which I was bred, and in which I will die. And although I can frequent without scruple the church of any other sect of Christians, and join with cheerfulness in the social worship of all without subscribing implicitly to the doctrines of any, yet here in Washington none of the preachers has had an attraction powerful enough to draw me permanently to his church. I have at last given the preference to Mr. McCormick, of the Episcopal Church, and spoke to him last week for a pew.

25th. A person, I know not whom, had already been to Dr. Ewell, announcing himself as my agent, and entered into negotiation with him for his house. This circumstance should be a warning to me; and how many warnings have I not even to *think* anything without taking it for granted that it will be known to those who are interested to know it!

27th. Two hours by candle-light. I resumed the preparation of the report upon weights and measures by an abstract of the statutes of the State of New York, transmitted by Governor Clinton. At the office I had visits from Mr. Nathan Levy and from Mr. Cathcart, men who have occupied much of my time with their concerns. There has been a two years' negotiation with the Danish Government to get Mr. Levy admitted as Vice-Consul or Commercial Agent at the island of St. Thomas. There is a promise now that he shall be admitted, of which I had notice given to him a few days since. He came now to ask a number of things, one of which at least was not very discreet. He said that in case of a war with Spain, and still more with England, there would be great numbers of distressed American

seamen, and considerable advances of money for them would be necessary. What was he to do for reimbursement, as bills upon this country would not be negotiated?

This was a barefaced trick to hear what I should say in relation to the prospects of peace and war. I told him that when the case should occur it would be time enough to provide for it, and I was so displeased at the insidious nature and pertness of this question, that I treated Mr. Levy in a frosty manner, for which he will hate and traduce me.

Mr. Cathcart came again with his antediluvian claims upon the Government, claims which I have more than ten times told him I have no authority to allow, but upon which he besieges me with perseverance stronger than love, and with iteration for which Falstaff's epithet to the word is its only suitable character. Cathcart puts me out of temper with him, and out of humor with myself. I finally promised him to make a report upon his claims, to be ready at the first meeting of Congress—a task which I shall find it hard enough to accomplish.

29th. General Mason came with a letter from Niles, the editor of the Register, recommending Mr. Bland for the appointment of District Judge in Maryland. It was to N. F. Williams, and forwarded by him to General Mason, who renewed and pressed again his own recommendation of Bland. He went over all the old ground, which I did not think it necessary to discuss, being very sure that Bland will be appointed. Mason glanced at his own situation, and said Mr. Crawford had informed him they were endeavoring to trace something against him for his transactions with Mr. Aguirre. He was a cannon-founder. He sold his cannon to Mr. Aguirre as he sold them to any one else. Very possibly some of the cannon of the privateers fitted out at Baltimore had been purchased from him, and he had no doubt he had sold cannon on one and the same day to an agent of the King of Spain and an agent of the patriots. He was at least impartial, and there was no disguise in transactions which he had considered as being in the regular way of his business. He also repeated Bland's insinuations against the Abbé Correa, charging him with having suborned witnesses to testify against Bland. He said Correa acted by

other persons: to see him work you must look at three or four men off from him; they were channels through which he operated, and they had given Sands money to testify against others.

I observed that there could be no credit attached to Sands's testimony, for his own story began by charging himself with perjury. I was not disposed to defend the conduct of the Spanish or Portuguese Ministers, but their official duty was to defend the property of their countrymen: although the facts were perfectly notorious, it was difficult to prove them, all who could be witnesses being participators of the crime, and as to the fact of moneys being given to a witness, that would not be conclusive evidence of subornation. If in his zeal for the service of his country Mr. Correa had transcended the line of his obligations to this, and had wronged any individual, complaint against him might be received and addressed to his own Government; but as to his exertions to save or to redeem the property of Portuguese merchants robbed by the Baltimore piratical privateers, I considered it as so rigorously his duty to use them that, without approving any departure from straight courses, I should look with indulgence even upon indiscretions in the discharge of this duty. The General was, as usual, very courtly and pleasant in his deportment.

*November* 2d. Called at the President's, and found Mr. Crawford and Mr. Wirt with him. They were conversing with him upon the result of the Court-martial on the cadets at West Point, in which the Court decided that they had no jurisdiction, and thus that the cadets were not subject to the Articles of War. After one such decision by the Court-martial, an elaborate opinion of the Attorney-General was taken and approved by the President and transmitted to the Court, with orders to re-assemble and reconsider the question—which they did, and adhered to their former decision.

This is the second instance within twelve months of sending to a Court-martial an opinion of the Attorney-General to induce them to reverse their judgment, which in both cases they have refused. I think the same result may almost always be expected. Crawford thought that Courts-martial were bound

to abide by the opinions of the Attorney-General, sanctioned by the President. I very much incline to think that in this instance the decision of the Court-martial was right; and it is remarkable that the whole tenor of Wirt's argument, which is learned and ingenious, is in direct opposition to his conclusion. It is indeed one of those questions upon which the Judges of the Supreme Court of the United States, or the twelve Judges of England, might be equally divided. The investigation of this affair has, however, satisfied me that the cadets ought not to be subject to the Articles of War, but to a system of discipline more suited to their circumstances as youths and students, combining part of the Articles of War with other regulations adapted to the good management of seminaries of instruction.

I suggested this idea, which was well received, and may be further considered hereafter. But the difficulty lies in the present case itself. These cadets, five in number, have now been nearly a year under arrest and suspended from attendance on the course of instruction at the Academy. The Court-martial by which one of them was tried decided, not upon an objection made by them, but on a question raised by the Court itself, that it was not competent to try them. To discharge and restore them without censure would be to place them in a very awkward relation with the Superintendent at the head of the institution, Major Thayer, whose veracity they attempted to impeach by testimony improperly admitted by the Court-martial. To dismiss them would be a harsh measure, as their offence, if any, was not of an aggravated nature, as they have never declined but have rather courted a trial; and the President said he had received a letter from the father of one of the cadets, Loring, complaining of the great hardship of the case.

Crawford was for dismissing them at once by the discretionary power of the President. But neither Mr. Wirt nor the President appeared prepared for so decisive a measure as that. I had difficulty in restraining myself from opposing it, but I forbore.

At these consultations I have frequent occasion to observe that Crawford advances opinions so preposterous that it is difficult to impute them to perfectly correct motives. The dis-

mission of these cadets would not only be an act of extreme injustice, but certainly an act highly unpopular on the part of the President. Crawford feels this, though he is perhaps not conscious that it infects his opinions and advice, but he takes special care to recommend no measure which could bring a breath of unpopularity upon his own Department. He advances other opinions more for the sake of being in collision with mine than from any special attachment to them as his own. I ought to lay it down as a rule to myself never to oppose any opinion advanced by Crawford in the Cabinet, when I know that without my opposition the President will not adopt it. Perhaps it would be well to extend the rule to what is said by any other member of the Administration, to avoid every conflict of opinion when it is unnecessary to affect the result, and to leave absurdity to die a natural death.

The President said that Thayer was an excellent officer, and that the Academy at West Point was in a very flourishing condition. There was some desultory conversation about Captain Partridge, against whom Crawford told several very ugly anecdotes, and about the Collector of Bristol, Rhode Island, who, he says, is undoubtedly concerned in the slave-trade, though legal proof of it cannot be obtained. Crawford said he had done nothing yet about Mrs. Bagot's silks from Canton, though, at his request, I had given my opinion that they ought to be admitted without payment of duties. He said he thought, if admitted at all, it should be upon condition that they should be re-exported. This gave rise to a discussion, in which I stated my opinion, that the allowance of the privilege to foreign Ministers of free admission of articles *for their own or family use* ought to be as liberal as possible, so long as there is no suspicion of fraud or bad faith, and that the indulgence ought to stop the instant that abuse, or even the suspicion of abuse, should begin. He admitted there was no cause of suspicion in the present case, but said there was no law for allowing the exemption. The President said it was by the law of nations, and directed that the silks should be admitted.

Crawford, in the argument to support the principle that the Court-martial ought to be bound by the opinion of the Attor-

ney-General, had laid it down as a general rule that when the opinion of that officer is asked on a point of law by a competent authority it ought to be taken by them as conclusive, because, if they could come to a decisive opinion against it, they ought not to take the opinion at all. It struck me that Crawford ought to have applied his principle to his own practice. He ought not to have referred this case to me for my opinion, or he ought to have abided by my opinion when given—which it was, very explicitly. The object is so trifling, and the principle I assume at once so fair and safe, that I cannot very easily account for his disregard of my opinion after asking it, but from the belief that his own opinion inclined the other way, but that he was willing to haggle with a foreign Minister about the duties upon two or three pieces of silk, and at the same time to put all the littleness and all the petty trouble of the discussion upon me. He said that under the color of this permission other silks than those ordered for Mrs. Bagot might be delivered with them. I said it would be proper to require of Mr. Antrobus to specify the identical silks imported by order of Mr. Bagot, and to limit the Collector to the free admission of them only. He had objections even to this. He said Antrobus might answer, he did not know. I said, Mr. Astor, the importer, must know, and might be required to state. There were also two other cases of applications from Antrobus, which I had referred to Crawford, who has decided against one of them, and who said he should decide probably against the other, and in both instances rightly. The President said Astor had made the same offer to him to import any articles for him from China, and Mrs. Monroe had ordered some teas, upon which, of course, the duty would be paid. Crawford said he had only ordered some plants of the *teak*-tree, which he thought would grow in Louisiana. I had understood him the other day to say the tea-plant.

3d. I spoke to the President concerning instructions to be given to R. Rush to propose again to the British Government the Emperor of Russia for the umpire upon the disputed question upon the construction of the first article of the Treaty of Ghent, relating to the restoration of slaves and other captured

property. He directed me to prepare them. I also suggested to him the idea of asking Mr. Rush and Mr. Gallatin to procure and transmit the laws and regulations by which the military schools in France and England are governed, with a view to adopt those of them which may be found proper for the Academy at West Point; which he approved. I asked him if he could not restore the five cadets who had been so long suspended, with an expression of his disapprobation upon their conduct, if he disapproved it, and also censuring the Court-martial for admitting illegal testimony to the discredit of Major Thayer.

He showed me a copy of a letter from the Secretary of War to Major Thayer, dated last January, declaring the President's approbation of his conduct and his disapprobation of that of the cadets, but directing the dismission of Bliss, the Professor, against whom the cadets complained, and that Thayer should restore them as soon as might be consistent with the service. The President added that Major Vandeventer, the Chief Clerk in the War Department, said that if this letter had been communicated to the cadets by Thayer when he received it, the whole affair would have subsided. But, the Court-martial having been ordered, Thayer felt a delicacy at communicating the order. The arrested cadets are all young men of good character and promise. Their offence, though a serious one in reference to military discipline, was no offence at all in the members of a civil scientific institution. Such transactions should be treated with great lenity; and the whole of this affair shows the necessity of other regulations for the government of this Academy than the mere Articles of War.

5th. At one o'clock I went to the President's. Antrobus came immediately afterwards, and delivered to the President the letter from the Prince Regent announcing the birth of a son to the Duke of Cumberland on the 27th of May last. Baron Stakelberg shortly afterwards came, and I presented him to the President, to whom he made a short address in the name of the King of Sweden, who, he said, had charged him to assure the President of the satisfaction with which he recollected the pleasure he had enjoyed in becoming acquainted with him in

the year 1803, at Paris. The President answered in general terms, but took no notice of the personal compliment.

After these ceremonials were performed, the President came from the audience-room into the antechamber, and had a conversation with me of an hour and a half upon the topics which it would be proper to introduce into his message for the commencement of the ensuing session of Congress. The first in point of importance, he said, was Spain, as with all the other European powers our relations may be said to be upon the most friendly footing. Spain, in withholding the ratification of the treaty, signed last February, had given notice that a Minister would be sent here to negotiate upon it. If that Minister should not arrive before the meeting of Congress, would it be proper to recommend a suspension of definitive measures until his arrival?

I said if the Hornet should not return before the meeting of Congress, I thought it would be proper at the commencement of the session to communicate the papers of the negotiation, to state the fact that her arrival might be expected at an early day, and that a further communication would then be made. When she arrives, the proper course of proceeding will be shaped according to the information to be received by her. But I thought nothing should be suspended to wait for the Spanish negotiator. When he comes, the ground with him should be changed. A direct and explicit refusal to negotiate upon anything settled by the treaty, and a call upon him to treat for the injury sustained by the United States from the non-ratification within the limited and stipulated time, seems to be the only proper course to be pursued. I still retained the opinion that the President should explicitly recommend to Congress an Act authorizing the immediate occupation of Florida; that a force should be sent sufficient to accomplish it without bloodshed, and a strong manifestation be given that the occupation is intended not as an act of hostility, but as the mere assertion of a right unjustly withheld.

The President fully concurred in this opinion, and said he thought it would be expected by the world; that all the principal powers of Europe had pronounced themselves against

Spain upon the point of the ratification, and that if we should not act with promptitude, decision, and vigor, we should lose consideration in the eyes of the world; it would be taken for a symptom of weakness, and all the other nations whose respect it is important to us to command would immediately take advantage of it against us.

The President next spoke of General Jackson, and expressed some apprehension that he would again bring up the subject of the report of the Committee of the Senate against him last winter, and that it might lead to very unpleasant and distressing consequences; and he asked me whether I thought he ought to write to Jackson and dissuade him from it. I said that as the friend of General Jackson, which it was certainly my wish to be, I should most earnestly wish that the subject of that report should not be brought up again in the Senate by him, or on his part; and although it might not be suitable for the President to enter into a correspondence with him to dissuade him from it, yet if there was any friend of the General's in whom he had confidence, and who had influence over his mind, who could take the liberty of giving him advice, I thought it impossible he should be too urgent in giving it. My own belief was, that if he had any thought of bringing it up again, it was from an apprehension that it would be brought up by his enemies against him.

The President said there were false stories in circulation about Jackson, one of which Governor Worthington, of Ohio, had told him last evening. It was that, last winter, Jackson came to the President's house and asked to see him; was told by the porter there was a gentleman with him; enquired who it was, and was told it was Mr. Eppes; upon which he turned upon his heel, and said he would never set his foot in a house where such a fellow as Eppes was received. The President said there was no truth in this: enquiry had been made of his porter, who did not even know Mr. Eppes, and who declared that nothing like it had ever been said by Jackson.

I said it was, however, certain that Jackson had been exasperated to the highest pitch against Eppes; that when he went from here last March, it was with extreme difficulty he had

been dissuaded from going to Eppes's residence to challenge him, and that if the subject should be brought up again next winter, and he should be here, I was afraid nothing could prevent their fighting.

He said he thought so, and it would be much to be lamented; but he also thought with me, that he could not directly interfere to prevent it, especially as he had made an unsuccessful effort to reconcile Jackson with Scott. Jackson had told him he had no sort of doubt that Scott was a brave man; that he would not challenge him; that if, when he wrote to him in consequence of the anonymous letter, Scott had answered him with candor, that in a conversation at a private table he had expressed opinions as he felt them without expecting that they would be reported to him, he would have thought no more of it; but to be charged with mutiny by his inferior officer, he did not see how it was possible for him to overlook it without forfeiting his own self-respect.

Other topics to be introduced into the message were postponed. But the President mentioned the cadet Court-martial again, and asked whether, in disapproving the sentence of the Court, he ought not to accompany it with some further notice of displeasure. I said if he thought the proceedings of the Court were to be viewed in the light of misconduct to be punished, he might dismiss the officers who composed it from the army; but if not, I thought it would be sufficient to disapprove in one word their proceedings, and to say no more on the subject. For to controvert their decision in a book, to argue against their opinion, would be descending to their level, and perhaps impair the dignity of the President's office. If it was to be mere reasoning against the sentence, they might say, Well, the President's opinion is one way, and ours is another; and the misfortune was, that theirs was the effective opinion. To argue against that which he could not annul would be unprofitable waste of censure, and if more than mere official disapprobation was to be given, it ought to be by some act, and not by words. The President appeared to give assent to this. He said, however, that the arrested cadets had written a long and quite improper letter to him. This was the first time I had heard of that.

9th. Looking over the laws of the United States, with a view to the regulations in them concerning weights and measures, I observed a law passed 15th September, 1789, requiring that the Secretary of State should have all the laws and resolutions of Congress recorded in books to be provided for the purpose. No such record has been kept for many years. I determined that this part of my duty should no longer be omitted, and gave Mr. Brent some directions for carrying it into effect. I made also some preparations to have ready copies of documents to be communicated to both Houses at the commencement of the ensuing session of Congress.

10th. I called at the President's, and he read to me the first sketches of the message he is preparing for the commencement of the ensuing session of Congress. They relate to Spain and the South American affairs; state the circumstances of the failure of Spain to ratify the treaty, the measures since taken by him, and recommend for the consideration of Congress whether we ought not to proceed as if the treaty had been ratified. The present state of the contest in South America was spoken of in general terms, with the remark that success had generally attended the patriots, who had maintained their cause in Buenos Ayres, Chili, and Venezuela, with increasing prospects of its ultimate establishment. These paragraphs were not finished; but he said he proposed to add, that as it could not be expected that the struggle would be much longer protracted, the probability of its terminating in favor of the independents had been considered, and proposals had been made to the British Government for a recognition of the independence of Buenos Ayres in concert—a proposition which might be offered at a suitable time to the other principal European powers. He said, as the British Government had made known this proposition to Spain, it was no secret, and he thought it would be best to avow it explicitly, as it would take from those who wished to make a handle of the South Americans against the Administration, the ground from under them.

I saw no adequate motive for objecting to this communication. And the President directed to have two copies made out of the instructions given to Commodore Perry and to his suc-

cessor, Morris. Besides these subjects, he spoke of the appointments to be made of District Judges for the Southern District of New York and for Maryland. For the former there are several candidates, all strongly recommended. For the latter, he observed, the recommendations in favor of Mr. Bland had multiplied and strengthened, and among them was that of Mr. Lloyd, who would probably come as one of the Senators from that State.

It is obvious that Bland will be appointed, and that the President wished me to assent to the appointment. But I could not reconcile it to my sense of right and of duty. I told him that I was aware the pressure of influence in favor of Bland had much increased; that I thought too much of it had been used. I considered the imputations upon his integrity to be groundless; I believed him entirely honest; but I could not admit the principle upon which his appointment was urged to be absolutely necessary as a vindication of his character; and the original objection against his appointment, that upon many of the most important causes pending before the Court it was impossible that he should be impartial, still remained in force.

The President said that these and some other considerations which were suggested had great weight, and came for the present to no decision. He spoke also of the law of the last session of Congress, authorizing him to send to Africa, to which he thought Mr. Crawford was for giving too extensive, and Mr. Wirt too limited, a construction. He himself considered it as giving him power to appoint and send two Agents to the Coast of Africa, to reside there, and to make provision for the comfortable subsistence of the colored people to be transported thither by virtue of the Act. I believe this may be done under the Act, but observed that the Act itself had evidently passed without much consideration of its purport, and that it would be desirable that the whole subject should be revised by Congress.

12th. The French Minister, Hyde de Neuville, came to the office and conversed with me concerning the state of our affairs with Spain. He thinks the treaty will yet be ratified, of which I have no expectation. His reasons for expecting it are, never-

theless, plausible. The Duke of San Fernando, who had been appointed to come to the United States, has subsequently been appointed the Minister of Foreign Affairs, and a Mr. Campuzano is substituted as the person to come here. De Neuville adds that the King of Spain had appointed a confidential Committee to examine the treaty and report to him whether Onis had exceeded his instructions; that they had reported entirely in favor of Onis, and declared that he had in no respect transcended his instructions. Onis was not received with much favor at Madrid, but is said to have been appointed as Minister to the Netherlands.

13th. Mr. Wirt called at my office, and took, by direction of the President, all the papers relating to the recommendation of Mr. Bland to be the District Judge for Maryland. Wirt says that the appointment of Bland will be a general license for the pirates, and so considered by them. He says also that Mr. Crawford has letters informing him that there are now five privateers at Baltimore fitted out and ready to sail, and that Crawford, who has hitherto favored Bland's appointment, now says it would be a questionable appointment. Wirt himself is very decided against it, but thinks it will nevertheless be made.

16th. At noon, after a mere call at the office, I attended at the President's, where Mr. Crawford and Mr. Wirt soon afterwards came. The President read to us the portion of his message that he has prepared, and which was very little more than what he read to me last week. It must in all probability undergo an entirely new modification on its principal topic, our relations with Spain, upon the arrival of the Hornet, which I still hope will be before the meeting of Congress. The recommendation of the President is to consider the treaty as if it was ratified, and to carry it into execution in the same manner. He had drawn two concluding paragraphs, referring to the contingency that Spain should assume a hostile attitude, one of which was in general terms, and the other more explicit, glancing at the propriety of occupying the territory between the Sabine and the Rio Bravo.

Crawford preferred the general expressions, and told a story

about old Governor Telfair, of Georgia, who, having got into a sharp correspondence with some officer, and looking over a draft of a letter which his Secretary had prepared for him, to the officer, pointed to a paragraph which struck him as too high-toned, and told his Secretary he would thank him to make that passage "*a little more mysterious.*"

We all laughed very heartily at the joke—which so pleased Crawford that he told the story over again in detail; but it was good upon repetition. / He said he had been conversing with Mr. Lowndes, who told him that, both in England and France, everybody with whom he had conversed appeared to be profoundly impressed with the idea that we were an ambitious and encroaching people, and he thought we ought to be very guarded and moderate in our policy, to remove this impression.

I said I doubted whether we ought to give ourselves any concern about it. Great Britain, after vilifying us twenty years as a mean, low-minded, peddling nation, having no generous ambitions and no God but gold, had now changed her tone, and was endeavoring to alarm the world at the gigantic grasp of our ambition. Spain was doing the same; and Europe, who, even since the commencement of our Government under the present Constitution, had seen those nations intriguing with the Indians and negotiating to bound us by the Ohio, had first been startled by our acquisition of Louisiana, and now by our pretension to extend to the South Sea, and readily gave credit to the envious and jealous clamor of Spain and England against our ambition. Nothing that we could say or do would remove this impression until the world shall be familiarized with the idea of considering our proper dominion to be the continent of North America. From the time when we became an independent people it was as much a law of nature that this should become our pretension as that the Mississippi should flow to the sea. Spain had possessions upon our southern and Great Britain upon our northern border. It was impossible that centuries should elapse without finding them annexed to the United States; not that any spirit of encroachment or ambition on our part renders it necessary, but because it is a physical, moral, and political absurdity that

such fragments of territory, with sovereigns at fifteen hundred miles beyond sea, worthless and burdensome to their owners, should exist permanently contiguous to a great, powerful, enterprising, and rapidly-growing nation. Most of the Spanish territory which had been in our neighborhood had already become our own by the most unexceptionable of all acquisitions —fair purchase for a valuable consideration. This rendered it still more unavoidable that the remainder of the continent should ultimately be ours. But it is very lately that we have distinctly seen this ourselves; very lately that we have avowed the pretension of extending to the South Sea; and until Europe shall find it a settled geographical element that the United States and North America are identical, any effort on our part to reason the world out of a belief that we are ambitious will have no other effect than to convince them that we add to our ambition hypocrisy.

Crawford spoke of an article in the last Edinburgh Review defending us against this charge of ambition; but if the world do not hold us for Romans they will take us for Jews, and of the two vices I had rather be charged with that which has greatness mingled in its composition.

On the part of the message relating to the South Americans there was little said. Crawford said he had met Torres last evening at General Mason's, and he had told him that the change in Venezuela, by which Arismendi had been placed at the head of the civil government, would be for the better, and give them new energy. The message makes an advance towards a recognition of Buenos Ayres, Chili, and Venezuela, but not more than is warranted by circumstances. There were two or three short paragraphs in the draft relating to the late prevalence of the yellow fever, to the drought, and the pecuniary embarrassments of the country. They closed with consolatory assurances that these evils had, in a great measure, ceased. Crawford and Wirt both objected that this would be thought, as regarded the money concerns, a flattering representation; and the President said he would substitute "in part removed" instead of "a great measure." This introduced a desultory conversation upon various topics, and particularly

upon the report which Crawford is to make to Congress upon the currency. He said that scarcely any of the State banks, to whom he had applied for returns of the state of their affairs, had made them, and he must wait to receive copies of those which they were obliged to make to the respective State Legislatures.

17th. At the office I had visits from Mr. Torres, and from Poletica, the Russian Minister. I told Torres that I had laid his papers before the President, who had directed me to receive from him any communications that he might be disposed to make. He repeated that it was his full determination, and the intention of his Government, that he should do nothing which might give dissatisfaction to the Government of the United States. He then said that he was charged to open and extend friendly relations between the two countries to the utmost of his power; that he had orders to procure provisions for the English troops of General Devereux's legion, who had arrived in Venezuela, and whom they could not maintain with the same kind of provisions which they supplied their own countrymen with; that by the occupation of New Granada he hoped they would now have a good supply of funds, but that previous to that event they were in want of immediate pecuniary means; that through the medium of Mr. John Sergeant he had made a proposal to the Bank of the United States to obtain from them an immediate sum of five hundred thousand dollars, to be repaid within eighteen months in gold and silver bullion. It had at first been objected that the bank were restricted from making loans to a foreign Government, but he had stated it was not precisely a loan that he wanted—the bank were purchasing bullion. He offered to contract to furnish them with a given quantity of it, to be supplied at a certain time, and asked payment for it in advance, upon such terms as they might agree to. The subject was now before the bank for consideration, and they might wish to know in what light it would be considered by the Government.

I promised to mention it to the President, and said I was confident there would be no objection on his part to the Gov-

ernment of Venezuela's obtaining in this country any supplies of provisions for which they might have occasion; that the Directors of the bank must determine what contracts they may legally make according to their act of incorporation, and what they may deem expedient for their interests, and that if they should find the contract proposed by him within their powers and expedient, it would in no manner be disapproved or discountenanced by this Government. He then showed me his letter to Sergeant, and said there were some other objects of less importance upon which he should hereafter speak to me, and intimated a wish to pay his respects to the President, as well as to write me a note expressive of the objects with which he is charged. He asked for the return of his papers, but they were locked up in the desk of Mr. Purviance, who was not at the office. He said he would call for them again.

Poletica brought with him a dispatch enclosed to Pozzo di Borgo, which he asked me to forward for him. He repeated what he had said to me many times before, that he could send nothing by the way of England, because the British Government opened all the letters, written by Russian Ministers, that ever came in their power. He spoke of South American affairs, and said it appeared they were in a state of complete anarchy at Angostura.

I told him quite the contrary: that the appointment of Arismendi as Vice-President was expected to give new energy to the management of their affairs; that the successes of Bolivar in New Granada had been splendid, and unless Morillo should very soon receive reinforcements, I thought he would be compelled to abandon the country.

He said he thought there was great exaggeration in the accounts of Bolivar's success. He had but three thousand men. What was it possible to do with three thousand men?

I said there was no doubt great exaggeration. But Bolivar had certainly taken Santa Fé de Bogota, and New Granada was revolutionized; that this had been accomplished by so small a force indicated that the mass of the people favored the revolution; and that was the spirit which Spain never would subdue.

He said that he was perfectly convinced that Spain never would recover the dominion of those provinces; but he was equally confident that in seven years from this time they would have no regular Government.

That, I observed, was entirely a distinct question. I took this opportunity to tell him that about a year ago a proposition was made by this Government to that of Great Britain for an acknowledgment, in concert, of the Government of Buenos Ayres, which was not accepted. I stated to him the principles upon which it had been made, and I wished him to inform his Government that the only reason why it was not at the same time made to the Emperor was, the reason we had to suppose that the proposition itself would not only have been unacceptable to him, but that it would not have been agreeable to him that it should be made. For the same reason it was not made to France; and, as the President's message to Congress at their approaching session will communicate and make public the fact of the proposal made to England, I said I wished him to assure his Government that it was made to Great Britain alone, not with the purpose of a partial concert with her, but of a general concert of all the great European powers with us. If he had been here at the time when we made the proposal to Great Britain, I should have communicated it to him, and would have conversed as freely with him concerning it as I had with the French Minister. But Mr. Daschkoff was not here, and the situation in which he stood with this Government was such that, if he had been, I could not have communicated with him freely.

He said there was a delicacy in his touching upon this with his Government, as Daschkoff was now gone home, and his personal prospects might be affected by anything thus said of him.

I replied that it would be quite unnecessary if he would distinctly state the only reason why our proposition to recognize Buenos Ayres was not made to the Emperor at the same time that it was made to England. He promised to do it, and told me he would show me the memoir upon South America drawn up before the Congress at Aix-la-Chapelle met. We had a

long discussion upon the propriety and expediency of the recognition, in which I urged all the topics in its favor, and he all the topics against it, though he strenuously denied that Russia had any leaning in the case either against the South Americans or in favor of Spain. I hinted to him that, after a reasonable time, if the great powers of Europe should continue to decline the acknowledgment in concert with us, we should, perhaps, adopt the measure ourselves. He appeared disposed to argue against this; but I told him we must be the judges of our own policy; upon which he said he was speaking only as an individual, and not as a Russian Minister. He also asked me for the papers he had lent me last winter about the Holy Alliance, which I promised to have looked up and return to him.

18th. I took to the President a number of papers upon various subjects to take his directions—among the rest a complaint from a Mr. Ellery, of Boston, against Lord Cochrane for taking money from him in Peru, upon which the President asked what was to be done, and added he supposed a demand of restitution must be made upon the Chilian Government. I recommended the appointment of an Agent, and mentioned Forbes, as Mr. Prevost has probably before this received his orders to go to Buenos Ayres. The President said he would think of it until to-morrow. He said Mr. N. Biddle had spoken to him about a sword which had been presented by the Viceroy of Peru to his brother, Captain Biddle, and upon which there has been some public animadversion. Captain Biddle had proposed to deposit it in the Department of State. I observed there were already some such presents there, and had been others, which have been taken away again. Nothing, however, was finally determined upon this affair.

The President gave me a small slip of a newspaper containing a paragraph of a message which the late Governor Rabun had prepared to communicate to the Legislature at their meeting. He died just before they met, and it was sent by his successor to the Legislature as he found it. It was a complaint that on the 17th of February last he had written to the Secretary of State enclosing certain resolutions of the Legislature of Georgia, of the 19th of December last, concerning certain

negroes that had been stolen by the Creek Indians from citizens of Georgia, in violation of the Treaties of New York and Colerain; that he had requested the resolutions might be laid before the President of the United States, that he might proceed thereon as he should think proper; that he had not even received a reply to his letter, and that, as the General Government had hitherto manifested no disposition to give any aid to Georgia on this and many other of her complaints, he had forborne to press the subject any further.

I had no recollection of having received this letter, but upon returning to my office I found by the register of letters that it was received on the 1st of March, just at the close of the session of Congress, and, amidst the extreme pressure of business at that moment, must have been overlooked, and afterwards forgotten. Brent was gone from the office, so that I could not now procure the letter.

Losses of this kind happen too frequently, notwithstanding the anxious and constant care that I take to avoid them. But it was only last week that I wrote to that same Governor Rabun, requesting an answer to a circular written to him from the Department of State more than two years ago, applying for the Legislative Acts of Georgia relating to weights and measures. When I came home I found in the City Gazette the whole of this posthumous message, which contains other complaints against the Secretary of War and the General Government, for which there was less foundation than, I am sorry to confess, there is for that of his having received no reply from the Secretary of State.

22d. Mr. B. Irvine brought me a report upon Venezuela, of two or three folio volumes of manuscript. If labor deserves compensation, he has certainly earned his wages. He is one of the men with whom this age abounds—a fanatic of liberty for the whole human race—honest, but with a brain always in a snarl—with learning just enough to be pedantic, and temper just enough to be indiscreet; bitter in his dislikes, and unmeasured in his resentments—but withal indefatigably industrious and persevering. He is by birth an Irishman, and has no native American feelings. He, therefore, like all the

European republicans whom I have known, habitually thinks of liberty as a blessing to be acquired, and never as a blessing to be enjoyed. He said he should call upon me again to-morrow.

Mr. John Adams Webster came from Mr. Crawford with a verbal message asking me to make out a commission for him as captain of the revenue cutter at Baltimore. It has turned out as I supposed it would (look back to the Journal of 21st August last[1]). Crawford appears to have been ashamed to give the man a written order for his commission, and thus irregularly sent him with a verbal message. With Webster for captain of the revenue cutter, and Bland for District Judge, the Baltimore pirates will have their elbows free enough. I sent Mr. Webster his commission.

23d. I received this morning a note from the President directing me to make out commissions for Mr. Bland as District Judge for Maryland, Roger Skinner, Judge for the Northern District of New York, Jacob Sutherland as District Attorney in the place of Skinner, and to notify Forbes that he will, if he pleases, be sent as Agent to Chili.

I have opposed the appointment of Bland to the last moment; but, by the Constitution, the responsibility for appointments rests with the President and Senate. And when a head of Department is consulted upon a nomination which he disapproves, his duty of resistance ceases when the President has decided.

At the office, on recurring to the letter of M. B. Tallmadge, the Judge for the New York District, offering his resignation, I found in it a question whether the President is authorized to appoint a Judge for the Northern District without a previous law for the purpose. I took the letter to the President, and referred to the laws bearing upon the subject. He said he would consider of it till to-morrow. He spoke of the appointment of Mr. Bland as if he wished to reconcile me to it. I said, of course, nothing further against it, but that I hoped it would turn out better than I had anticipated. He said he had been finally decided by Mr. Bentalou, the Marshal of Maryland,

[1] Page 415.

who had been with him last evening, and had assured him that the people of Baltimore almost universally would not only be satisfied, but were desirous that Mr. Bland should be appointed.

24th. Poletica had sent me to read a copy of the Russian memoir upon South American affairs, sent as a circular instruction to the Russian Ministers abroad shortly before the meeting of the Congress at Aix-la-Chapelle, which we had seen before; but he sent with it the instructions to Tatischeff, the Minister at Madrid, transmitted to him with the memoir. The Russian plan was, first, that Spain and Portugal should settle their quarrel about Montevideo, and thenceforward act in concert to suppress the insurrection; and, secondly, that Spain should give Constitutions to the South American provinces, with representative popular assemblies. The letter to Tatischeff instructed him to urge upon the Spanish Government this course. As a further demonstration of confidence, Poletica now read to me private instructions to himself, written by Capo d'Istrias at Warsaw, in which, after observing that the United States *sympathized* with the South Americans, and that among the probable contingencies of futurity then, was an alliance between the United States and Portugal in joint league with the South Americans against Spain; that upon Poletica's arrival here the American Government might wish to be informed what would be the policy and conduct of Russia on those contingencies; they might wish to know—1, whether Russia had any engagements of special alliance with Spain; 2, what the policy of Russia would be in regard to the acknowledgment of South American independence if the then projected mediation of the European allies between Spain and the Colonies should fail; and, 3, whether, if the United States should acknowledge the independence of the South Americans, and a war between them and Spain should ensue as the consequence of it, Russia would take part with Spain in the war,—it was observed that the United States formed no part of the European alliance; and that, having a distinct system of policy of their own, they had never manifested a desire to become members of the Holy League, without which the Emperor could not have

the same motive for taking a particular interest in their relations with other European powers. But that Mr. Poletica in his intercourse with me should be reserved or confidential with me in proportion as I should set the example of being so with him. That upon the three questions above stated he might in such case assure me—1. That Russia had no special engagements of any kind with Spain, and that all special and partial leagues were entirely adverse to the whole system of the Emperor's policy. 2. That if the mediation of the allies between Spain and her South American Colonies should entirely fail, the subsequent course of Russia would be regulated by the course of events. 3. That the great and paramount object of the Emperor's anxiety was the maintenance and preservation of the general peace, and to secure to the world a long period of the repose which it so much needed; that he would, therefore, see with peculiar concern the breaking out of any war, which, from the existing state of Europe, the smothered flames of passions everywhere burning under the embers, and the multitude of reduced military men scattered abroad everywhere, and eager to burst open anew *their* avenue to wealth and honor, there was so much reason to fear could terminate no otherwise than by a general war.

Poletica then added that he read me this paper in conformity with its spirit, and in return for the confidence which I had shown him by my late communications, and that I should see in it the reason for the Emperor's wish that the United States should become members of the Holy Alliance. He left at the office a dispatch to be forwarded, for his Government.

25th. As I was coming out from the bank, G. Graham, the President, told me that Captain Read, of the Hornet, had arrived. I found him at the office, but no ratification of the treaty. He had a large bundle of dispatches from Forsyth, and I received at the same time several other dispatches from A. Gallatin, and from R. Rush, and many letters. I had not time to read them through before Mr. Gouverneur came over from the President's to enquire what the substance of the dispatches brought by Captain Read was. I took them, with those from Gallatin and Rush, over to the President's. Mr.

Hyde de Neuville had been with me to say that he had a short letter from the Duke de Laval informing him that the treaty was not ratified, but that the King of Spain himself had assured him of his earnest desire to be upon terms of amity and good harmony with the United States. I found the President extremely anxious at this state of things, and evidently unwilling to recommend to Congress the course which the draft of his message had pointed out, which was, to consider the treaty as ratified, and proceed immediately to execute it, and at once take possession of Florida. Gallatin says in his last dispatch that the French Minister of Foreign Affairs, Dessolles, and the Russian Minister at Paris, both most earnestly deprecated the taking of any violent measures by the United States, and Dessolles said that without them we should be sure of obtaining ultimately our object, with all Europe on our side.

I suggested to the President whether we might not vary the draft of his message, by stating that although we should be fully justified in taking the execution of our right immediately into our own hands, yet, in deference to the wishes of other respectable powers friendly to the United States, and fully convinced of our right on this occasion, he should think it advisable to give an additional proof of forbearance by waiting to hear what explanations the promised Minister from Spain might have to ask or give, and by making in the mean time such preparations as may be necessary for ultimately vindicating our right, if it should be required.

The President said he would think of it, but, as the time was very short, there must be a meeting of the members of the Administration immediately. He first proposed this evening, but agreed to have it to-morrow at noon. Mr. Crawford is the only other head of Department now here.

26th. At twelve o'clock I went to the President's, where I found Mr. Crawford. I read as well as I could from the Spanish the letter from the Duke of San Fernando to Mr. Forsyth, finally declaring the determination of the King of Spain to delay the ratification of the treaty, and to send a Minister to the United States to ask for explanations. I found that Mr. Crawford, who at the last meeting was wavering upon the

policy of taking possession of Florida, was now very decided in favor of it, and urged all the considerations that recommend it very forcibly.

As the President has appeared to hesitate, and as the dispatches from Europe have produced in my own mind a disposition to pause and review before the decisive step is taken, I suggested all the reasons that occurred to me in favor of a recommendation to Congress to wait until this new Minister shall arrive, and demand his explanations. As I am still doubtful myself whether the boldest course is not also the safest, my argument was not very strong nor very ardent.

Crawford objected altogether to the idea of delaying to act, from deference to the wishes of France and Russia, which he said was inviting them to interfere, and assuming the appearance of being dictated to by the powers of Europe. He said that by hesitating to act now, the Government would lose character, and the enemies to the Administration could take ground to charge it with want of vigor and energy.

This I readily admitted, but observed it was one of those cases in which no course which the Administration could steer would be free from censure. If the President recommended delay, he would be charged with weakness and pusillanimity. If he proposed immediate action, he would be accused of rashness and violence. Crawford said Congress and the country would be unanimous for the immediate occupation. I thought, on the contrary, there would be more opposition both in Congress and the country to that course than the other, but there would undoubtedly be great opposition to either. I declared that, entertaining my present views of the subject with diffidence, I should cheerfully concur in whatever determination the President shall finally take.

Crawford referred to the proposals last winter for a law to authorize the occupation of Florida, and to the wish then expressed for such a law by Holmes, Chairman of the Committee of Ways and Means; but the object of that was to legalize what had been done by authorizing the Executive to hold Pensacola and Amelia Island.

The President said it was an exceedingly difficult question,

and he would think profoundly upon it before coming to his final determination. I told him that I had the more freely given him all my present impressions from a consideration that it was by our Constitution the President himself who was responsible for all the great national measures recommended by him. The heads of Departments are responsible only as his subalterns. The measure now to be adopted will be in itself an act of war. It may very probably involve us in a real and very formidable war. I would not have it said that by my advice we had crossed the Rubicon without looking before or behind us. And there are strange workings in the human mind. Until yesterday I had invariably thought and advised the President as Crawford did this day. Until this day Crawford, without directly advising otherwise, had constantly hinted doubts and thrown dampers in the way. Lately, and particularly yesterday, I saw that my advice had become irksome to the President—that he was verging to a suspicion that I was spurring him to rash and violent measures. I fell, therefore, entirely into his own views of the subject, and Crawford, having discovered this, immediately took the ground I had abandoned, and is for at once assuming the offensive with Spain. The enemies of Mr. Monroe's Administration, and my enemies, have been continually laboring with the industry and venom of spiders to excite in his mind a jealousy of me. They have so far succeeded that whatever I earnestly recommend, he distrusts. If I had persevered in recommending the immediate occupation of Florida, I am sure he would have ended by striking out that part of his message. Crawford would have continued to blow cold upon it, and nothing would have been done. This day, as I have taken the white flag, and have discarded all warlike humor, the President appears to like it much better. I should not be surprised if he should return now to the spirited and vigorous course. He will, however, certainly not conclude upon it unadvisedly.

27th. On reaching my office, I found a message from the President requesting me to call at his house, and immediately went. D. Brent was there. The President was preparing a new draft for his message, and his object was to let me know

that he was inclined to recommend to Congress the immediate occupation of Florida. He said that hitherto the opinion of all the members of the Administration had been unanimous upon the course to be pursued with Spain, and that this unanimity had produced the happiest effects throughout the country; that my concurrence, in particular, had been of great importance, not only by its influence upon the Eastern section of the Union, but upon the Western country; that a difference of opinion in the Administration immediately got abroad; advantage was instantly taken of it by its enemies; other objects and other views immediately connected themselves with it, and embarrassments multiplied upon the Administration. He then went again all over the ground of argument in favor of the two courses to be pursued, and one of which must be recommended to Congress; said it was a question of extreme difficulty upon which he should decide, but on the whole he inclined to recommend that of the immediate occupation.

I told him that the opinion which I had intimated yesterday and the day before had rather been given from a desire to concur in what I thought I had perceived was a change of his own opinion than an original thought of mine. He immediately admitted that he had felt such a change. I then said that I had offered my present views, founded upon the last dispatch from Mr. Gallatin, with great diffidence, and with a full determination to give all the support in my power to any course that he should conclude to recommend. His embarrassment is very great, and has been increased by the difference of opinion yesterday manifested by Crawford and me. He sees, and I see with pain, that upon all subjects of eminent importance, Crawford's opinion is becoming whatever is not mine. I lament this, because its tendency must be to weaken and distract the public councils; but the seeds of this discord are sown in the practice which the Virginia Presidents have taken so much pains to engraft upon the Constitution of the Union, making it a principle that no President can be more than twice elected, and that whoever is not thrown out after one term of service must decline being a candidate after the second. This is not a principle of the Constitution, and I am

satisfied that it ought not to be. Its inevitable consequence is to make every Administration a scene of continual and furious electioneering for the succession to the Presidency. It was so during the whole of Mr. Madison's Administration, and is so now. Crawford was made a candidate against Monroe, and in the legislative caucus very nearly outvoted him. He therefore considers himself as the natural successor, and has made all his arrangements accordingly. During the first year of the Administration, seeing that I had no personal friends, or at least no political partisans, and numerous inveterate opponents in Congress, he probably took it for granted that I should in no event be an obstacle in his way. Within the last eighteen months he has begun to fear that I might, and although he sees that I have gained nothing of electioneering force in Congress, but that, on the contrary, strong new electioneering force will be brought to bear against me, he has seen some indications of popular sentiment in my favor in quarters where he did not expect them, and feels a necessity of working against my influence with the President and with the public. Now, in all important questions of public policy it is difficult to choose the best and safest part, and where two present themselves with nearly an equal advantage, and nearly equal objectionable points, the mind in suspense upon their respective merits is easily determined by extraneous circumstances. In such cases Crawford's ambition is the sword of Brennus, and turns the scale against my opinion. The President's opinion is now the same as mine. But he thinks we should both concur with that of Crawford for the sake of union in the Administration; and to this I have agreed.

The President said something of stating both the courses to Congress, and leaving it for them to decide. I remarked that he or Mr. Calhoun, on a former occasion, had observed that Congress would do nothing without an opinion directly expressed by the Executive.

He said it was so, and during Mr. Madison's Administration he had had constant proofs of it, among which he related one peculiarly striking. When, towards the close of the war, he read to Committees of the Senate and of the House his plan

for raising men by levies, as in the Revolutionary War, Giles, who was on the Committee of the Senate, after hearing the plan, refused to do anything until the report, explaining and recommending it, was produced; and when it was, utterly opposed the plan, and said it was a conscription.

At the office De Neuville was with me nearly two hours. He told me that De Mun had arrived, and brought him voluminous dispatches, among which was an instruction to postpone his journey to France. He said that the French Government, finding that the ratification of the treaty by Spain was likely to fail, had made the strongest remonstrances to the Spanish Cabinet, and had finally called upon them in the most explicit manner to declare what they intended to do; that the King of Spain had given the strongest assurances that it was his most earnest desire and his settled determination to finish this transaction amicably with the United States; that he would immediately send out a Minister to obtain the desired explanations, and the French Government had been informed what was the real obstacle to the ratification. It was not the affair of the grants. The Minister would say something on that subject, but it would ultimately make no real difficulty. The great stumbling-block was South America. The proposition which we had made to England, and were ready to make to France and Russia, for a joint recognition of the independence of Buenos Ayres, had been made use of to persuade the King of Spain that if he should ratify the treaty, the next day we should recognize the South Americans and make a common cause with them. His jealousy, being thus excited, had been much strengthened by exaggerated representations from this country of a miserable plundering expedition into the province of Texas, which has been carried on the last summer by people from the United States. De Neuville's instructions are, therefore, to use all his influence with the Government of the United States to prevail upon them to take no precipitate measure which might produce war, but to wait until the Spanish Minister shall come, with the perfect assurance that we shall obtain the ratification without needing the application of force. De Neuville added

that however short of full and explicit candor Onis's conversation here had been, he had been clear and unequivocal in his declarations at Paris and at Madrid. His talk here, therefore, was undoubtedly inspired by the fear of being harshly treated, perhaps exiled or imprisoned, upon his return to Spain; and the order to arrest him had actually been signed by the King. He was at large, but without employment, and had not been consulted upon anything that was done. De Neuville urged, therefore, with all possible earnestness, that the President should wait to hear what this Spanish Minister has to say, before recommending to Congress that any further step should be taken, and expressed the wish that the President would also, in the message, say something which Spain might receive as a pledge that the United States would not, immediately after the ratification of the treaty, recognize the South Americans, or make common cause with them.

I told him that the draft of the President's message was made; that it recommended to Congress to authorize the immediate occupation of Florida; that no hostility to Spain was intended by this measure, and if peaceable possession of the province should be given, no hostility would be committed; that possession being taken, we should readily receive the Spanish Minister, and give and receive from him any explanation which his Government could desire; that I would faithfully report to the President all that he had said to me, but I could not promise him that the President would think any modification of the message possible—the opinion upon which it had been prepared had been not only the President's, but unanimously that of all his advisers; that after coming to a resolution of the indispensable necessity for an act of energy, which was of course preceded by deep deliberation, he knew how difficult it must be to minds of a firm texture to retreat upon at least a feebler course—yet this sacrifice of injured and indignant feeling must be made not only by the President but by all his counsellors, to warrant a change without losing that precious unanimity so conducive to the success of all energetic policy; that a further objection to a change must arise from the knowledge which he now communicated of the nature of the

explanations which the Spanish Minister would come instructed to ask. As to the grants, we could not negotiate about them. It was disgusting even to discuss a subject upon which Spain could not even advance a pretension without the grossest outrage upon good faith. And with regard to South America, no such pledge as that which the Minister was to ask for could or would be given. We had invariably refused to make any stipulation upon that subject; we should certainly make none, express or implied, now. Knowing, therefore, that we can meet only by a direct negative the proposals which the Spanish Minister will bring, why should the President suspend the contemplated measures to hear what he has to say?

He replied that the United States had now the whole vantage-ground of the negotiation. Spain had no support from any quarter. They could lose nothing by moderation. They were the strongest party. The resort to force would always be in their power. He would not ask for delay beyond the present session of Congress. If no Minister from Spain should come, or if one should come with attempts to protract and evade the ratification beyond the term of the session, he would not say one word further. The King of Spain had given him the Grand Cross of the order of Isabella, but it was impossible for him to ask for Spain more than was reasonable. If the Minister to come should not give us satisfaction, he would say no more. In the mean time, the King of France would take it as the greatest obligation if the President would give this proof of further forbearance; and he was persuaded it would meet the approbation even of the people of this country. A resort to force would change the state of the question. Spain would then have in the face of the world the appearance of being the injured party. She would say that the United States, by the ground they took, in effect denied the very right of a sovereign to ratify his treaties. Spain would then have some plausible grounds to hold forth in support of her cause. This last act of forbearance on the part of the United States will leave her none.

I promised to report all this to the President, and to say nothing on my part to weaken its effect. It was near five o'clock when De Neuville left me, and, knowing it was the

President's dining-hour, I postponed calling upon him till to-morrow.

28th. I went to the President's, and gave him the substance of my conversation of yesterday with the French Minister. The President read me the further portion of the draft for his message which he had written, and I found him again inclined to the most moderate of the course of proceedings with regard to Florida. He told me that Mr. Crawford had been with him yesterday, and appeared more inclined to concur in the plan of suspending the occupation than he had been the day before.

I asked him how it would answer to recommend to Congress to pass an Act authorizing the occupation contingently, and then to wait and hear the Spanish Minister.

He appeared to be pleased with this suggestion, and said he would make the draft conformable to it.

I asked him whether it would not be advisable also to make some slight modification of the part of the message relating to South America. To this he appeared more reluctant, and said that, as it was drawn, it avowed the intention not to recognize them at present. But I observed it contained a public invitation to all the European great powers to join in the recognition, and, as this was the only essential obstacle to the ratification of the treaty in the present temper of the King of Spain, such an invitation might tend to confirm his suspicions and fix him in the policy of refusing the ratification. He said he would consider of it.

I reminded him that it had already been proposed that he should recommend some further legal provisions for the suppression of piracy. He said he would, and asked me to send him minutes of the points in which the revision of those laws would be expedient.

29th. Called twice at the President's. He read me what he has further written for the message. He proposes recommending to Congress to authorize the Executive to carry the Florida Treaty into execution in like manner as if it had been ratified by Spain, but to make it contingent and to take effect only in case the Minister promised from Spain should fail to come, or should come without a satisfactory result. This course of

proceeding now appears to him by far the most eligible of all that have yet been suggested, but it has yet to pass through the ordeal of the Cabinet.

The President said there had been with him this morning three of the members of the House of Representatives from Tennessee, all very earnest against getting into a war, and he had no doubt this would be the sentiment of a great majority of the Congress. The draft of the message enters much into detail upon the subject of the grants. The President said he did this to take away the ground from under those who would be disposed to criticise from motives of hostility to the Administration, who would of course fasten upon this article. This was what constituted, he thought, the difference between the communication to Congress at the commencement of a session and the speech to Parliament in England. These short allusions to the principal topics of public affairs, and in very general terms, were sufficient, because if the Government was attacked the Ministers were in Parliament to defend themselves; but here it was necessary to anticipate and refute objections from the outset, because the Executive have no one in the legislature to support them, except members who occasionally appear as volunteers, and generally even without any previous concert with the Executive. This is very true; and the want of a regular and constant medium of communication between the Executive and Legislative Departments is apparently a defect in our Constitution; though, on the other hand, there are inconveniences in allowing Executive officers to be at the same time members of the legislature.

*December* 2d. I was twice at the President's, and the last time found him at home. He appointed a meeting of the members of the Administration to-morrow at noon, and said he had made some alterations in his draft of the message concerning the South Americans in consequence of my suggestions. He said Mr. Wirt had undertaken to state the particulars in which the organization of the laws against piracy was defective.

I said that with the recommendation to revise them, the expression of a strong sentiment disapproving the practice would be, perhaps, equally useful. By our Constitution the

Chief Magistrate is the first guardian of the public morals, and the influence of his approbation or censure, solemnly communicated to the legislature, is, perhaps, as important and efficacious as any exercise of his positive authority.

He said he would introduce such a sentiment into the message as he had already done with regard to the slave-trade. He seemed to doubt whether it would be proper for him to say anything of the part taken by the principal European powers in relation to the ratification of the Florida Treaty by Spain.

I said I thought it quite expedient with respect to Great Britain, because there is a general impression that the British Government have interfered to prevent it, which they have not only utterly disavowed, but they have actually interposed, by advising Spain to the ratification.

He said, if Great Britain was mentioned, it would also be necessary to take notice of the good offices of France; which I thought would be very proper. He asked how far anything might be said of Russia. We have nothing positive direct from the Government. Mr. Poletica here has professed perfectly friendly dispositions, and the Russian Ambassador at Paris had done the same. But from the latest dispatch received from Mr. Gallatin it would appear that Tatischeff's conduct had not been equally friendly at Madrid. The President desired me to see Poletica to-morrow morning and ascertain from him whether a paragraph announcing the good disposition of Russia, in connection with that of France and England upon the subject, would be acceptable to the Emperor, and to draw up such a paragraph as I should think it would be proper to insert in the message. He read me one which he has prepared as a tribute to the memory of Commodore Perry. He said he would recommend that some provision should be made for his family, but, as it would be a new thing in principle, it might excite jealousy, and tend to defeat the object itself. I concurred in this opinion.

3d. Immediately on going to the office this morning I sent and requested Mr. Poletica, the Russian Minister, to call there before noon. He came, and I told him that I had asked to see him by the President's direction. It was his intention, in the

message to Congress, when speaking of the refusal of Spain to ratify the Florida Treaty, to state that France and Great Britain had both manifested wishes favorable to the ratification. He wished to say the same of the Russian Government, if Poletica thought that it might be positively stated.

He said it certainly might. He had written altogether in that spirit to Tatischeff, and was confident it would be entirely approved by his Government.

I said we knew that Count Lieven and Pozzo di Borgo, the Russian Ambassadors at London and Paris, had expressed such sentiments, but we had received intimations that Tatischeff's conduct had not been equally friendly.

He said he was not surprised at that. He had been suspicious it would be so. But he knew Tatischeff perfectly well, and if he had taken that part, it was to be in opposition to everything done by the British Ambassador, and to strengthen his own influence, by showing zeal for those to whom he was accredited.

I went to the President's at noon, where there was a Cabinet meeting. Crawford, Thompson, and Wirt were present. The President read the draft of his message, which is nearly prepared. It is less pleasing, and will, I think, be more criticised, than either of his former messages at the commencement of the sessions of Congress. It presents a situation of public affairs less auspicious, and a variety of topics upon which there will probably be vehement debates. The question with Spain is drawn out more into detail, and yet is not shown in so clear a light as I could have wished it might be. The recommendation is, however, as I had suggested, that Congress should pass an Act authorizing the Executive to carry the treaty into effect as if it had been ratified by Spain; but the authority is to be contingent, and to be used at the discretion of the Executive in case there should be no satisfactory result to the negotiation during the session of Congress. The paragraphs respecting the South Americans, which the President told me he had drawn with modifications of the first draft, were still so strongly expressed, and so partial in their favor, that I was apprehensive they would produce ill effects not only in Spain, but through-

out Europe. As I was aware that the only way to obtain any mitigation of the passage was to make at once an objection to the whole, I asked, after it had been read, whether it would not be advisable to omit the whole.

In this, as I had expected, I was opposed from all quarters, particularly from Mr. Thompson, the Secretary of the Navy. He said if the message should not express favorable sentiments of the South Americans, the Administration would be charged with having become hostile to them and with insincerity towards them.

I observed that this charge had already been made, and urged with all the ability and all the animation that the enemies of the Administration could bring to it; that they had been harping upon it two years without intermission, and I thought there never was a topic upon which the strings of popular feeling had been touched with less success. A disposition sufficiently favorable to the South Americans had been manifested in the messages of the two preceding years. It was useless to repeat now what had been said before. It was not yet proposed to recognize their independence; and, as we knew this to be the precise point upon which the obstacle to the ratification of the treaty turned, I thought it highly inexpedient that anything should be said in the message upon which Spain could fasten as a departure from neutrality, and which France and Russia might consider as at least tending to justify Spain in persisting to withhold the ratification.

Mr. Wirt asked if the expression of opinions and wishes could be considered as a departure from neutrality.

I said that in a message from the Chief Magistrate to the legislature, if not a positive breach of neutrality, it was a very near approximation to it; and asked him how it would be viewed if sentiments and wishes equally strong were expressed against the Colonies and in favor of Spain.

The President said we had made to Great Britain and France the proposal for a joint acknowledgment of Buenos Ayres, which neither of them had accepted. But Britain had immediately made it known to Spain and to all the rest of Europe, while it was not known to our own people. He thought it

would be proper to avow it in the face of the world, and to assign reasons in justification of it, which could only be drawn from exhibiting the Colonies as having just claims to be recognized as independent. At the same time he wished, by showing to the people of this country what had been done for the South Americans, to take away from the enemies of the Administration the pretence that it was not friendly to the independent cause.

Crawford said that all the rest of the world knew we had made this proposal to the French and English Governments; our own people did not know it. He thought it would be proper to inform them of it.

I did not press the total omission of the paragraph, but then objected successively to its details, urging the general objection to each part of a sentence, and making special questions upon the principal statements contained in it.

The President consented to strike out several of the strongest expressions, and softened down the whole as much as the other members would approve; and when it was brought to the point which they all thought acceptable, the President asked me again what I thought of it. I said, in a tone of good humor which produced a general laugh, "Sir, to be quite candid with you, I have brought my mind to the conclusion that the less there is said in *this* message upon South America the better it will be. Whatever, therefore, you will consent to strike out will, in my judgment, be an improvement, and whatever you conclude to retain I must put up with and make the best of it that I can. I have no ill will to the cause of the South Americans. I have no doubt they will ultimately maintain their independence, and that at a proper time it ought to be acknowledged. But at this moment I think we should avoid anything of which Spain might make a handle, and which would dispose France and Russia against us."

The paragraph was in fact expurgated until I hope it will be harmless; unless the President should restore the obnoxious passages, or at least some of them, as I apprehend he may. I had, as he desired, drawn a short sentence, stating that France, Great Britain, and Russia were favorable to the ratification of

the treaty. He had been promised by Mr. Wirt a draft of a paragraph recommending a revision of the laws against piracy, but it was not produced. He adopted mine with some alteration. The statements respecting the survey and fortifications, the Yellowstone expedition, the condition of the navy, and the finances, drew forth few observations. On the pecuniary embarrassments of the country, the distressed and decayed state of the manufactures, and the aspect of the Treasury Department, little was said, and I think the message will be found meagre by the public. There was an introductory paragraph, speaking of the reassembling of Congress at the Capitol as an event far more important than it deserves. Crawford advised to let it down to a very brief and unassuming notice, or even to strike it out altogether. In the allusion to the state of the Treasury, the sums were announced in millions of dollars and so many cents. Crawford proposed to strike out the cents, and the dollars under hundreds of thousands, justly observing that round numbers and general expressions were more suitable to an Executive message, and that units and fractions of dollars might be left to the report from the Treasury Department.

When the rest of the message, a very long one, was gone through, the President said that was all, except one subject, which, as this was a new Congress, he thought it his duty to recommend to their consideration. He then produced a manuscript long enough itself for two moderate messages, recommending the proposal by Congress of an amendment to the Constitution, authorizing them to make internal improvements by roads and canals; with an elaborate argument to prove that the authority had not been given by the Constitution. It is a paper which he drew up last winter and was then anxious to communicate in some way to Congress. He then read it at a Cabinet meeting, but finally postponed producing it to the public at that time. After he had now read it through, a general silence ensued, until I remarked that when the message at the commencement of the first session of the last Congress was prepared, I had taken the liberty of suggesting some considerations upon which it had appeared to me desirable that the whole paragraph should be omitted. I now retained the same

opinion, and the course pursued by Congress on that subject since the former message had, in my mind, added new motives for the omission of it at present. The debates in the House of Representatives on that part of the former message had been full of irritation, and not altogether respectful to the Executive It had been asserted that the expression of his opinion had not been given at the proper time. A large portion, perhaps a majority, of the House of Representatives, had voted for resolutions in opposition to that opinion. There is a moral certainty that if the President now recommends the proposal of an amendment to the Constitution, it will be without effect. The argument will be encountered by argument, and a conflict between the Executive and the Legislature, always to be deprecated in the administration of this Government, will not only be established, but appear to have been invited and provoked by the President, and under circumstances in which no useful purpose would be effected by it.

I was, however, on this as on the former occasion, without support from any other member of the Administration. The President admitted, as usual, that there was great weight in my suggestions, but said, as this was a new Congress, whose opinions might be supposed not preoccupied on the question, he thought it his duty to give them explicitly his opinions on the subject.

Crawford was more wary than candid in his remarks. He balanced the reasons pro and con., admitted that it was an affair of great delicacy, and that this part of the message would be sharply criticised, but still flattered the President with the hope that there might be a majority of Congress agreeing in opinion with him sufficient to carry an amendment to the Constitution, which a competent number of the State Legislatures would ratify. Crawford knows better. But "dans les malheurs de nos meilleurs amis nous trouvons toujours quelque chose qui ne nous déplaît pas." Crawford is not unwilling to see this disagreement between the President and Congress fester and inflame. It will all turn to his account.

Wirt hinged much upon the *right* of the President to recommend an amendment of the Constitution, and said Clay last

winter had denied it. Crawford said Clay was heated, but that he was very likely to start such an objection. I observed that I had no doubt of the right, though, as by the Constitution amendments are the only acts of the legislature in which the President has no participation, there may be some color for the question; but it was upon the expediency of the recommendation that my doubts were founded. However, the President had determined, I have no doubt upon long determination, to send it, and he has probably motives for this measure which he has not disclosed. It is to all apparent purposes so injudicious, that the President, who is a man of strong judgment and great discretion, would certainly not produce it without objects to answer, adequate to balance the ill effects which he cannot but see it will be attended with in Congress. He has been brought into mortifying dilemmas by his declaration of faith on the internal improvement question; for Congress have passed Acts to all appearance in the face of his opinions, which Acts he has with great reluctance approved. This has given the appearance of inconsistency between his doctrine and his conduct, which he has severely felt, and he draws nice distinctions to reconcile them together, which will be sharply sifted in Congress and by the public. The Cabinet meeting broke up between four and five o'clock.

Poletica called at my house this evening, and showed me three letters which he had received since he had been with me in the morning, One was from Count Nesselrode, the Russian Minister of Foreign Affairs, dated at St. Petersburg, in September. It is in answer to Poletica's first dispatches after he arrived here, and expresses great satisfaction at the frankness and confidence of my communications with him, and a hope that they would be continued in the same spirit. The second was from Pozzo di Borgo, the Russian Ambassador at Paris, and expresses great concern at the refusal of Spain to ratify the treaty, and great apprehensions that we shall resort to force to take possession of Florida, by which, it says, we shall lose the good will of the European powers, which is now with us. The third was from Tatischeff, Russian Ambassador in Spain, but written at Paris, where he was on his way to St.

Petersburg, on a leave of absence for nine months. It was in answer to a letter from Poletica to him, which was sent by the Hornet, and in which he urged him to use his influence with the Spanish Government in favor of the ratification of the treaty, and recommends Forsyth to him. Tatischeff answers that he should have taken great satisfaction in promoting the ratification, but that Forsyth's character was said to be unsocial (peu liant), and, as he spoke none of the languages of the Continent of Europe, they could not converse together. Poletica said that he had brought these letters to show them to me immediately after receiving them, to confirm what he had told me this morning.

4th. Mr. Hersant came to me from Mr. Hyde de Neuville to enquire when he could see me at my office, for which I appointed one o'clock. He came, and told me that he had received very recent dispatches from his Government by a young man attached to the Consulate; that Mr. Lesseps, whom I had known as French Consul in Russia, had arrived at Philadelphia with a commission as Consul there, and Mr. Petry was appointed Consul-General to reside at this city. He also said he was informed that the Spanish Minister, who is to come for explanations, is on his way, and it was supposed would have arrived before the Hornet. He did not know with what instructions he would come, but the French Government supposed the principal subject upon which he would have to ask explanations would be the affairs of South America. Something might be said upon the subject of the grants, but they would not ultimately make a difficulty if we would give a pledge not to recognize any of the South American insurgents. A positive stipulation might perhaps be asked, but he knew perfectly well that would not be granted. But an implied engagement might be given, altogether secret, which would be satisfactory to Spain, and it might amount to no more than to say that the United States would not recognize the independence of South America unless in concert with France.

I told him that if that was the proposal with which General Vives was coming, the best thing he could do would be, the moment he should land in the United States, to embark again

and return home. It would be of no use for him to come here. As to the affair of the grants, we would give him every explanation that he could reasonably require. But as to anything out of the treaty, we shall declare ourselves also ready to give any explanation that Spain can require, after the exchange of the ratifications of the treaty. He appeared to be somewhat discomposed at this, but kept his good humor better than I did mine. I told him that, from consideration for the earnest wishes of France, the President would ask of Congress only a contingent authority to occupy Florida, not to be used without necessity, and he would yet give Spain a last opportunity to terminate amicably her differences with us. She should have one more warning to do us justice, but I entreated him to urge his Court, if they had any influence with Spain, to use it there to avoid extremities. If Mr. Vives should not bring a ratification, we should consider negotiation as exhausted.

He told me that his Government had sent him copies of Mr. Forsyth's note to the Duke of San Fernando, and the Duke's answer. Mr. Forsyth's note was very harsh. I said the conduct of Spain was still more so.

He asked how it was possible for us to know that Mr. Onis had not transcended his instructions. I said he (De Neuville) himself had told me so. Onis had told me that by his instructions he could have ceded the kingdom of Mexico. The Marquis of Casa Yrujo had told Mr. Erving ten times that Onis had "carte blanche." The Duke of San Fernando did not pretend that Onis had transcended his instructions, and how could he? What was the Grand Cross of Isabella given for to him (De Neuville) but for the part he had taken in the negotiation? Why was every individual, down to copying-clerks, who had been employed upon the treaty, decorated with orders?

He said all that was very true, but this South American question was all-important to Spain, and if we refused to give them the pledge they asked, what motive would the King of Spain have to ratify the treaty?

"What motive?" said I. "To fulfil his engagements! to

perform his plighted word! to do justice to those whom he acknowledges Spain has wronged! For us it is enough, it ought to be enough for him, that his Minister, duly authorized and with unlimited full powers, had signed the treaty in his name, and he was bound to ratify it. We cannot buy his ratification. He must give it, or we must do ourselves justice. We would give explanations of anything, after the ratification; and in the mean time I could tell him the explanation we should give him, upon any proposal to stipulate or promise not to acknowledge the independence of South America: it would be a direct and positive refusal; and if the Minister wished to have it given in due diplomatic form, it should be given in the most authentic manner."

He said he did not see then but that it would be quite as well for Spain to let us occupy Florida and retain her claim upon it. I thought the difference would be that, by ratifying the treaty, she will have arranged everything with us amicably, leaving no root of bitterness behind; while in the other, she will have made the same sacrifice of indemnity without giving satisfaction. This conversation ran into length, but terminated in perfect good humor.

This evening I received a note from Mr. Gouverneur, who, in the absence of Mr. Joseph Jones Monroe, acts as the President's private Secretary, asking for a paragraph which the President had yesterday requested me to draw for the message, respecting the supplementary negotiation since the Convention of 20th October, 1818, with Great Britain, relative to the West India trade. I had forgotten it, but immediately made the draft of the paragraph, adding another, concerning the article of the Convention with regard to the slaves carried away by the British officers after the war, and sent them to him.

6th. At my office I was called upon by Mr. Antrobus, the British Chargé d'Affaires, who spoke to me on the subject of two notes which he has lately addressed to me upon subjects which, at the instance of Mr. Bagot, had been before Congress last winter, but were not finally acted upon. He also said that Sir Charles Saxton had applied to him to be presented to the President. General Tayloe had offered to go with him, but

Sir Charles had thought it would be better that he should be presented by the representative of his own Government. I went to the President's, and he appointed one o'clock the day after to-morrow to receive Mr. La Serna, and also Mr. Antrobus with Sir Charles Saxton.

I found Mr. Wirt with the President, who was discussing with him the question about the part of his proposed message to Congress recommending an amendment of the Constitution, giving Congress the power to make internal improvements by roads and canals. He said he had deliberately considered the objections which I had suggested the other day, and they had determined him to strike out all the argumentative part, and to retain, if anything, only the passage in which he enumerates all the advantages which the Union would derive from the investment of such a power in Congress, and his opinion that the power is not given by the Constitution.

I renewed and repeated all the arguments which I had before used to prevail upon him to leave it out altogether. There was, as I had supposed, a motive which he had not mentioned till now, for saying something upon the subject in this message. When he was upon his tour last summer, and passed through Lexington, Kentucky, Clay, who lives there, was absent from home, at New Orleans, and was supposed to have absented himself on purpose. An attempt was made by some of his partisans to make the inhabitants of the town pass a slight upon the President, by omitting to show him attentions similar to those with which he had been received elsewhere. The effect of it was that the respect shown him there was rather more strongly marked than in almost any other place. A committee from the town went out fifteen miles from it to meet him, and, accompanied by a numerous cavalcade, escorted him in. They presented him a very respectful address, in which, however, they said something about internal improvements. He answered by declaring that he was deeply impressed with the importance and necessity of them; but, believing that the power to make them had not been granted to Congress by the Constitution, he was anxious that it should be given to them by an amendment. With this they professed to be entirely satisfied. It was to

make known to the nation that his objection to the making of internal improvements by the authority of Congress was neither to the improvements themselves nor to the necessity that Congress should possess the power of making them, but simply that the power has not been given by the Constitution, that he had thought of introducing this part of his message. He finally asked me what I thought would be the impression in the Eastern States if he should insert it.

I said that as far as I knew anything of the sentiments of the Eastern States, the general impression there was of satisfaction with his Administration, and although there was there, as elsewhere, great division of opinion upon the Constitutional power of Congress to make internal improvements, yet all were disposed to acquiesce in his opinion, so far as not to wish to have the subject agitated for the present.

Mr. Wirt said that unless such an amendment should pass, here was a great and important power of Government which must remain inert. And if the President thought its exercise necessary, was it not his duty to say so, even if it was probable that it would produce no immediate effect?

I replied that the President, if it was a duty, had already discharged it. The power must remain inert. If it were possible, which it certainly is not, to obtain two-thirds of both Houses of Congress to vote for such an amendment, it would be utterly hopeless that three-fourths of the State Legislatures would ratify it. The Legislatures of all the large States would be adverse to the grant, and, if the President would permit me to say so, none more than the Legislature of Virginia itself. I could not pretend, however, to the knowledge of their sentiments which he must possess.

He said he thought they would ratify it; but Wirt told me he was of a different opinion; that Judge Roane, who was himself a host, would be against such a grant of power with all his weight and influence.

After a long and earnest discussion, Wirt told the President that he believed it would be better to omit the whole paragraph, and the President determined that he would. This resolution, importing, as I know it does, a sacrifice both of opinion and of

feeling, affords a very strong proof of his magnanimity and of his disposition to listen to counsel—a disposition which in so high a place is an infallible test of a great mind. The advice that I have given him on this occasion was dictated by a pure regard for himself, and a deep conviction that if he had introduced the subject into the message at all, it would have injured him and much increased the disquietude of his future public service.

Wirt intimated an apprehension that New York would make a handle of the President's opposition to internal improvements to get up a party against his re-election and in favor of De Witt Clinton. I told him Clinton had enough to do to maintain himself as Governor of New York, and would certainly have no party to make him President at the next election.

The President turned to another part of the message, and read the paragraph that Wirt had drawn, recommending a particular amendment to the laws for preserving neutrality. It was long, and dwelt entirely upon a matter of detail. The President said he had read it yesterday to Mr. Barbour, the Senator, who had told him that even that would excite some unfavorable feeling. I said I thought a recommendation in more general terms, with a strong expression of sentiment, would be better; and the President drew a short paragraph to that effect, which Mr. Wirt preferred as a substitute for his own.

While we were there, the Committee from the two Houses, Macon and Burrill, of the Senate, Hugh Nelson and Storrs, of the House, came to inform the President that a quorum of both was formed, and that they were ready to receive any communication from him.

He received them, and answered that he should send a message to-morrow, and then they came with him into his Cabinet. I gave my hand to all of them. Storrs seemed for a moment to hesitate whether he would take it, but it was an involuntary movement, which he subdued, and took it freely. He attacked me last winter with great violence in a speech on the Seminole War debate, and since then has seemed to avoid speaking to me, as if supposing I had taken offence at it. But I had no

such feeling. The President told me that several members had come to him yesterday and asked him whether it would be advisable to displace Clay as Speaker. He had advised against it. First, because it would be giving Mr. Clay more consequence than belongs to him. Secondly, because Mr. Clay, in the course which he has pursued and is pursuing against the Administration, has injured his own influence more than theirs. If it should be necessary to put him down, let it be done by his constituents. Thirdly, because there is no member of the Administration from the Western country. It is gratifying to them to have one of their members Speaker of the House. There is no other person from the Western section sufficiently eminent to put in competition with him. If he should be dismissed, they would feel hurt in their pride, and be stimulated to take part with him. It would be best to leave him his chair. In all this I think the President has acted and spoken wisely.

8th. At one o'clock I attended at the President's, and presented Mr. La Serna, the Spanish Chargé d'Affaires. Mr. Antrobus afterwards came with Sir Charles Saxton, whom he presented to the President. After they were gone, the President asked me whether I had seen Mr. Torres or Mr. Hyde de Neuville since the appearance of the message, and whether they had spoken of it. I had not seen the French Minister, and although I met Mr. Torres yesterday at dinner, he said nothing to me of the message.

The President appeared to be uneasy on the subject of South America, and said he understood Mr. Clay had given notice that he intended to bring forward again in the House the question for the acknowledgment of Buenos Ayres. And, excepting that, he said, he did not know that there was anything upon which a systematic and organized effort against the Administration could be made in Congress. I observed that the great battery opened upon the Administration at the session before last was South America. That of the last session was the Seminole War. It was, perhaps, not possible to foretell where the enemies of the Administration would think they could discern its weak side to direct their attack against it. I thought the

South American question was too much worn out, and although Mr. Clay would certainly bring it up again, there would be members enough in the House able and willing to maintain the argument against him, and I question whether he would now get a stronger final vote than he had obtained two years ago on that topic.

The President replied that last year, and the year before, Pazos, and Clemente, and Aguirre had been used as tools against the Administration. The course they had taken was in concert with and dictated by Clay. He had suspected so at the time, but had lately received information strongly confirming the suspicion. In fact, Torres himself had told him as much, and assured him that the authority upon which he was acting was founded on principles entirely different. His instructions were to press nothing upon this Government contrary to its wishes or its policy, and he should act accordingly.

I observed that Mr. Torres had made the same professions to me; but so had De Forrest last winter, and yet had been one of the most troublesome of the South American Agents. I added that there would be before the Congress all the moneyed embarrassments of the country, the affairs of the bank, the manufacturing claims, and the Missouri slave question, which might excite ardent debates.

He said the Executive had nothing to do with either of them, which is true so far that the Executive is not yet at issue upon either of them. If he ultimately escapes them all, he will be more fortunate than I anticipate. I said I had received a letter from Mr. John Pope, of Kentucky, in which, without much further explanation, he had written, "Let the Administration be prepared to be attacked about the Yellowstone expedition;" and I had heard here, and even in Boston, obscure intimations of complaint against that expedition, and surmises against Colonel Richard M. Johnson and his brother, who are the contractors for supplies to the troops employed upon it. The honesty of the Johnsons is deeply implicated, and rumors are afloat that advances have been made to them by the Government which will eventuate in a loss of public money, and that

the whole estate of the late Paymaster-General, Robert Brent, was in jeopardy for such advances, which cannot be accounted for according to law.

He said that Mr. Daniel Brent, after the death of his brother Robert, had come to him and mentioned that the estate was made responsible for certain advances made during the late war by an order from him, Mr. Monroe, while he was acting Secretary of War, of which he had no recollection whatever, but that he did not suppose that those advances had been made to Colonel Johnson. He had heard that Mr. Clay had censured the *cost* of the Yellowstone expedition, but there was no measure of the Administration which had given so general satisfaction in the Western country as that. While he was in Kentucky, a paper expressing the highest approbation of it, and recommending earnestly the Johnsons as contractors for it, was presented to him, signed by Governor Shelby, by General Jackson as an individual, and by Colonel Morrison and many other persons of the highest character and consideration. And as to the advances made, Mr. Calhoun declares that the Government are amply secured against loss. But Mr. Mason, brother of him who was killed here last winter in a duel, and who is now Marshal of Kentucky, told the President that Mr. Clay was desirous of withdrawing from his situation here by being elected Governor of Kentucky, and his friends were confident of his success if Colonel Richard M. Johnson, who would be his competitor, should withdraw from the contest. Johnson had been applied to for that purpose by some of Clay's friends, but, after consulting some friends of his own, had declined to withdraw. If Clay, therefore, should make a formal attack upon the Yellowstone expedition, its object would probably be to cripple Johnson's character so that he might not be in his way as a candidate for the Governor's office. This may be. But I doubt much of Clay's wish to be Governor of Kentucky at present. I also doubt whether he will make any public complaint about the Yellowstone expedition.

9th. The President himself called at the office, to give some directions concerning the Agent who is going to the coast of Africa to receive the Africans who are to be sent there. To

my great surprise, I found that he was to be furnished with a credit of twenty thousand dollars upon the house of Barings in London, to be expended for the support of blacks in Africa who are to be sent there from the United States. I asked the President if it was clear that the Executive was authorized to incur this expense by the act of the last session. He thought so, but said he would have a general consultation of the Administration upon it at his house at twelve o'clock to-morrow.

He also spoke of instructing Mr. Gallatin to apply to the French Government soliciting their interposition with Spain to induce the ratification of the treaty without compelling us to do justice to ourselves. I said I thought it would be better to press this upon Mr. De Neuville here than to make it a subject of direct instruction to Mr. Gallatin. By urging it through the French Minister here, the motives to be suggested will be of a general nature, applying as much to the interests of France as to those of this Union. But a direct instruction to Mr. Gallatin to apply to the French Government might have the appearance of soliciting their interposition. I had already impressed upon Mr. De Neuville the importance of France's using all her influence with Spain for the preservation of peace; and as soon as Congress shall have acted on the subject, I proposed to instruct Mr. Gallatin, as well as Mr. Forsyth and Mr. Rush, to make known the intentions of this Government in the course they pursue.

I spoke to the President of the necessity of fixing upon some person as a Minister to Russia instead of Mr. Campbell, who, if not already on his way to return, will come home in the spring. He said he had not thought of any one, but observed that, at the time of the appointment of Mr. Campbell, General Harrison had been mentioned. I named Mr. Middleton as a person peculiarly fitted for this mission, as being from a State the inhabitants of which had suffered most by the loss of slaves, and as being by his great fortune able to bear the expense of residing as a public Minister without starving upon the salary allowed. The President said he did not know but Mr. Middleton would be as good an appointment as could be made, and asked if he would accept, which I did not know. He said that in South Carolina there

was also Mr. Poinsett. From all this I conclude that Mr. Middleton is quite out of the question.

Mrs. Adams had this evening a party at tea of nearly a hundred persons, about one-third of whom were ladies. Mr. De Neuville told me he was entirely satisfied with the President's message. Poletica spoke to me of the appointment of a Minister to Russia, and said that Mr. Poinsett would be extremely acceptable to the Emperor. This coincidence shows that there has been already intriguing with the President for this appointment.

10th. Mr. De Mun came to my office this morning with a note from the French Minister, Hyde de Neuville, expressing surprise and regret at learning this morning that his notes connected with the Florida negotiation were to be published with the documents annexed to the message. His objection, however, is only to a passage in my observations of 24th July last, addressed to him, in which he was reminded of having said to me, while we were discussing the eighth article of the Florida Treaty, that Onis had a special motive for having it so drawn as to annul the grants, for the vindication of his character from aspersions in our newspapers, which had asserted that he had a personal interest in them. When I saw Mr. De Neuville at New York he objected to a particular expression that I had used in the note of 24th July, importing that he had told me Onis made it a *point of honor* to annul the grants: he had not used those words, but he had very distinctly conveyed the idea. However, as De Neuville was extremely unwilling to have the remark itself go to the public, and as he hinged his objection upon the words "point of honor," the whole passage was omitted in the copy of the observations communicated to Congress, which I desired Mr. De Mun to tell him.

There was a Cabinet meeting at the President's at noon, Messrs. Crawford, Thompson, and Wirt present. The Act of Congress against the slave-trade of the last session, and the questions of construction arising from it, were under consideration. The Colonization Society are indefatigable in their efforts to get hold of the funds appropriated by that Act; and having got the ear of the President, and Crawford for purposes of his

own being one of them, they have already got their fingers into the purse; the Government is to pay fifteen hundred dollars for half the freight of a vessel they are about sending to Africa. Their Colony is to be formed at the island of Sherbro, on the Coast of Guinea, about five degrees north of the line, so perfect a desert that they are to send out even the timber to build the huts in which their colonists are to dwell. And with all the multitudes of their members, and auxiliary societies and newspaper puffs, they have no funds, and they are ravenous as panthers for the appropriation of a hundred thousand dollars of the last session. Crawford's construction of the law would deliver up to them the whole of it without reserve, though he professes to be very much upon his guard against them, and to have no belief in their success. This Agent, with a discretionary credit of twenty thousand dollars upon London, is a clear forecast of what is to follow. Wirt in the first instance construed the law much more strictly than I did. He was brought over by the arguments of Crawford, who is ready to make a Colony out of the law of the last session; and Mr. Thompson, who thinks the law very loosely worded, and that it ought to be explained, still thinks it will admit of a liberal construction to give effect to the President's power of spending the money. Crawford urges the most liberal construction, because the object of the Act is beneficent and affects no rights. I objected that there was no authority given by the law to spend money to maintain the blacks in Africa at all; that if the authority is to be assumed constructively, I see no limit to it but the amount of the appropriation, which will be soon expended if we are to maintain the Colony, and which will plunge us deep enough into the plan to bind the honor of the nation to further appropriations. The money is to be entrusted to the discretion of an Agent under little responsibility, and from the tendency of all such expenditures to swell, exemplified in the application of similar funds to the relief of distressed American seamen, and in the army pensioner law, this would soon become a drain upon the nation. Then would come complaints of extravagance and waste; then enquiries in Congress how the money has been spent, and then by what authority. Then, too, would come the temper, not

so well disposed to construe the law liberally, or to regard it as exclusively beneficent. And the time for the Executive to think of all this is now.

The President finally concluded to pay half the freight of this ship now, and then to send a message to Congress informing them how the law has been understood and acted upon; and then if Congress do nothing to explain the law, it will give the sanction of their tacit assent to the liberal construction and the discretionary expenditure.

13th. I called at Mr. Calhoun's, to consult him, and ask some information from the War Department for the draft of an answer to a letter yesterday received from Mr. Lowndes, Chairman of the Committee of Foreign Relations. We were interrupted by a succession of visitors.

I found I must postpone most of the conversation I had proposed to have with him to another day. He promised to give me in a day or two from his Department the information required by the Committee.

As Mr. Gallatin has asked to be recalled, and proposes to return to the United States next spring, I asked Calhoun whether he would accept the mission to France. He said it would suit him in every other respect but the expense. He could not afford it. I said it was not easy to reply to that objection, the salaries of our Ministers abroad being so excessively inadequate to their necessary expenses that they could not remain long in Europe without drawing upon their private resources. But, as I expected more from him than from any other man living, to the benefit of the public service of this nation, I wished from purely public motives that he could go and spend some time in Europe, because I was convinced it would much enlarge his sphere of usefulness, by familiarizing him with facts and a description of knowledge which could in no other way be acquired.

He said he was well aware that a long and familiar practical acquaintance with Europe was indispensable to complete the education of an American statesman, and regretted that his fortune would not bear the cost of it. We had not time to continue the discussion, but I told him I should speak to him about it again.

Mr. Lowndes came to enquire for a report made to the old Congress, in the year 1785, by Mr. Jay, relative to the right of navigating the Mississippi River. The Clerk who keeps the books of records was gone, and Mr. Lowndes is to call again to-morrow. I read to him the draft of the answer I had made to his letter as Chairman of the Committee of Foreign Relations. I asked him if dispatches containing confidential communications of a nature not to be made public could safely be made to the Committee. He said that John Randolph was a member of the Committee, and, his principle being that all injunctions of secrecy must give way to the public interest, a secret communicated to him must be at the mercy of his discretion, to be divulged whenever in his judgment the public interest requires it. The President, he added, had some experience of Randolph's application of this principle, and could judge how far consistently with it confidential communications could be safely made to the Committee.

I took the draft to the President, and the dispatches from Mr. Gallatin and Mr. Fromentin, which I intended to have sent to the Committee. On my reading Gallatin's letters, the President said they must not be sent to the Committee. He did not suspect Randolph of intentional treachery, but he was so indiscreet, and suffered himself to be so entirely governed by his passions, that the result was the same. He kept Gallatin's letters, and said he would look them over and direct whether extracts from them could be given.

14th. Mr. Lowndes came again to read Mr. Jay's report in the secret journals of the old Congress, and the volume containing it was taken to his lodgings. I received a note from the President advising that neither the dispatches from Mr. Gallatin, nor extracts from them, should be sent to the Committee. Mr. Lowndes appears to be of opinion that Congress will do nothing upon Spanish affairs till towards the close of the session.

16th. I made a draft for an answer to the confidential question of the Committee of Foreign Relations. I called upon Mr. Calhoun, and read to him the answer to the Committee's question. I could have scarcely any conversation with him

upon other subjects, as we were continually interrupted by other visitors. Colonel Bomford and the Surgeon-General, Lovell, were with him when I went in. He gave me a very high character of Lovell after he went away. I was a very short time at the office, but called at the President's and took his directions upon various subjects. He approved the draft of an answer to the question of the Committee, and showed me the message he had prepared upon the Slave-Trade Act of the last session. It stated rather indistinctly the construction given to the Act, and the authority to spend money to the amount of twenty-five thousand dollars in Africa, to support the exported slaves there, and then left Congress to decide whether this was or was not the correct construction of the Act. If not, Congress are to pass an explanatory or commendatory Act.

I objected that this form of the message would leave no alternative to members friendly to the Administration but to approve or to appear in opposition to the construction of the President, and to the Administration. He said he would add a paragraph saying that the whole is still under the consideration of Congress, and subject to their control.

The President also spoke to me on the subject of the etiquette of visits. It would seem that some of the Senators have been to him to complain that the Secretary of State refuses to pay them the first visit. He mentioned it with much delicacy, but observed that it occasioned uneasiness, heartburnings, and severe criticism. He wished, therefore, that the heads of Departments would meet and agree upon some rule which they should all observe for visiting, as one of the great difficulties arose from different persons following different practices.

I told the President what my own practice had been, the deputation that came to me two years ago from the Senators, my answer to them then, and the rules since observed by myself and my wife. I said I would with pleasure consult the other heads of Departments, and abide by such rules as a majority of them should agree to. He desired it might be done as soon as possible.

17th. I stopped at Mr. Calhoun's, and told him of the President's wish that the heads of Departments should meet and agree upon some uniform rule with respect to visits. Calhoun agreed to meet on Monday. I also called at the Treasury Office, but Mr. Crawford was not there, and at Mr. Wirt's. I found him, and he wishes that the meeting may be at the President's. To this the President, upon whom I called, assented.

18th. I stopped at Mr. Calhoun's, to enquire for the report on the enquiry of the Committee of Foreign Relations. Mr. Lowndes had called this morning at my house, to ask when I should be ready to answer his letter. Calhoun desired me, in order to make the information formal, to send him a note requesting it. And he agreed to meet at the President's on Monday, at one o'clock, about the visiting question. I went to the Treasury Office and saw Mr. Crawford, and afterwards Mr. Wirt, the Attorney-General. Showed them my draft of an answer to the question of the Committee. They made several observations upon it, suggesting modifications of several of the expressions in it. Mr. Wirt thinks Congress will not approve the course recommended by the President, of proceeding to execute the treaty as if it had been ratified. Lowndes suggested a day or two since that the course of the Missouri slave question might materially affect the disposition of the Northern people in regard to the acquisition of Florida. Every species of intrigue is working, and the result of their combinations is not yet easily to be seen.

20th. We had this day the meeting at the President's to consider the important question of etiquette in visiting. The members of the Senate, it seems, not content with their rule that they will pay no first visit but to the President, take it in dudgeon that the heads of Departments do not always pay the first visit to them. And it has come to the point of a complaint to the President, who inclined to think it would be well for the heads of Departments to indulge this humor of the Senators, and then, to avoid an invidious discrimination between the two Houses, to do the same thing by the members of the House, and at the commencement of every session of

Congress, to send round to all the lodging-houses in the city about two hundred and thirty cards for each head of Department. This, however, did not suit the views of any of us. We found, however, that we had no uniform practice, and each one was much disposed to adhere to his own. After discussing the matter about two hours, we could come to no other conclusion than that each one should follow his own course. There are so many adverse pretensions that it is not possible to avoid giving offence to some, and it is equally ineffectual to defy or to indulge the pretensions of the proud. The rule that I proposed was to separate entirely the official character from the practice of personal visiting—to pay no visits but for the sake of friendship or acquaintance, and then without enquiring which is first or which last, and that their wives should practise the same. Mr. Crawford and Mr. Calhoun were willing to adopt this rule for themselves, and have indeed practised upon it; but their wives have made it a point to visit first those of all members of Congress, and they would not alter that rule. My wife has followed the same rule for the ladies that I have for the men; and as this has brought us into disgrace with all the members of Congress who have wives here, and with many others, Crawford, whose policy it is in all things to cringe to members of Congress, because he has a steady eye upon the caucus, insists upon adhering to this system, though it gives offence to all the stranger ladies who come here without happening to be the wives of Congressmen and are therefore not honored with Mrs. Crawford's visits. And thus it is that this paltry passion for precedence works along. I see no better course than that which I have deliberately followed because I thought it was right.

21st. I dined at the President's with a company of twenty-five persons—ladies and gentlemen. The heads of Departments and their ladies, excepting Mr. and Mrs. Calhoun, were there; the President of the Senate, Barbour, the Speaker of the House, Clay, and several members of both Houses. Clay told over again his story of the bottle of Kentucky wine that he once brought as a present to Mr. Madison, and of Robert Smith's saying it tasted of whiskey; of his (Clay's) disposition

at the time to cut off Smith's head for the remark, and of its afterwards turning out that there really was whiskey in the wine—identically the same story which I heard him tell at the President's table once before.

22d. I called at the President's, and left with him a letter which I have written to him upon the etiquette visiting affair.

This affair furnishes a curious illustration of the tendency in communities assuming even the broadest principles of social equality to grow tenacious in regard to minutiæ attaching to rank and place. It has been long understood that the Senators of the United States possess a secret record in which regulations are inscribed touching their relative claims to consideration on all social occasions, public or private. How early this was commenced does not appear, though it is to be inferred, from a passage in the letter of Mr. Adams which follows, that he had no knowledge of it whilst himself a member so late as the year 1808.

It appears that the neglect of Mr. and Mrs. Adams and other officers of the Government to pay a formal visit to Senators and their families when arriving at Washington roused so much dissatisfaction among them that the subject was now gravely brought up for consideration in the President's Cabinet. Singularly enough, the omission by them to pay attention to this claim was construed as equivalent to a demand on their part to be first visited, and much use was made of their long residence in the Courts of Europe to create a popular impression that they were raising questions of etiquette never before started in American society. In point of fact, the pretension was all on the side of the Senators, who have never ceased to insist on it, and have extended it to every branch of the Government. Mr. Adams confined himself solely to an effort to relieve himself and Mrs. Adams from the necessity of recognizing invidious distinctions, and to place their personal relations upon the only footing elsewhere established in private society in the large American communities—that of cultivating the acquaintance of strangers who were disposed to accept overtures of civility to them without reference to pretensions of form.

Mr. Adams, finding himself liable to be misrepresented in his action relative to this singular subject, took the trouble to address to the President and the Vice-President, respectively, letters which, as illustrating the social history of Washington at this period, may not be without interest in this connection.

This is the first of the letters referred to:

TO THE PRESIDENT OF THE UNITED STATES.

WASHINGTON, 25th December, 1819.

SIR:—

The meeting held yesterday having terminated without any arrangement relative to the subject upon which it had upon your desire been convened, and it being understood that it left the members of your Administration free to pursue the course of conduct dictated by their sense of propriety respectively, to avoid being misunderstood in regard to that which I have hitherto pursued, and to manifest my wish to pursue any other which you will please to direct or advise, I have thought it necessary to submit the following observations to your candor and indulgence.

It has, I understood from you, been indirectly made a complaint to you, as a neglect of duty on the part of some of the members of your Administration, or at least of the Secretary of State, that he omits paying at every session of Congress a first visit of form to every member of the Senate of the United States; and that his wife is equally negligent of her supposed duty, in omitting to pay similar visits to the ladies of every member of either House who visit the city during the session. The fact of omission, both as it regards my wife and myself, is acknowledged; and as you had the kindness to propose having any explanation of the motives of our conduct made known to those who, to our very great regret, appear to be dissatisfied with it, the following statement is made to give that explanation.

I must premise that, having been five years a member of the Senate, and having during four of the five sessions been accompanied at the seat of Government by my wife, I never received a first visit from any one of the heads of Department,

nor did my wife ever receive a first visit from any of their ladies. We invariably paid the first visit, and at that time always understood it to be the established usage. I do not mean to say that every Senator then paid the first visit to the heads of Department, but that the Senators neither exacted nor generally expected a first visit from them. Visiting of form was considered as not forming a part either of official right or official duty. I never then heard a suggestion that it was due in courtesy from a head of Department to pay a first visit to all Senators, or from his wife to visit the wife of any member of Congress.

When I came here two years ago, I supposed the usual rules of visiting to remain as I had known them and practised them ten years before. Entertaining the profoundest respect for the Senate as a body, and a high regard for every individual member of it, I am yet not aware of any usage which required formal visits from me as a member of the Administration to them as Senators.

The Senate of the United States, independent of its importance and dignity, is of all the associations of men upon earth that to which I am bound by every and the most sacred and indissoluble ties of personal gratitude. In a career of five-and-twenty years, and through five successive Administrations, scarcely a year has passed but has been marked in the annals of my life by manifestations of the signal confidence of that body. Unworthy indeed should I be of such confidence if I had a heart insensible to those obligations. Base indeed should I feel myself if, inflated by the dignity of the stations to which their continued uninterrupted and frequently-repeated kindness has contributed to raise me, I were capable of withholding from them, collectively or individually, one particle of the reverence and honor due from me to them. But I was not conscious that this mode of showing my respect to them was either due or usual; and when the first intimation was given me that there was such an expectation entertained by the Senators in general, I quickly learnt from other quarters that, if complied with, it would give great offence to the members of the House of Representatives unless extended also to them.

To pay visits of ceremony to every member of Congress at every session would not only be a very useless waste of time, but not very compatible with the discharge of the real and important duties of the Departments, always peculiarly pressing during the session of Congress. Neither did the introduction of such a system of mere formality appear to me altogether congenial to the republican simplicity of our institutions.

To avoid all invidious discrimination, I have paid no first visit to any member of either House of Congress as such; but I have returned the visits of all who have pleased to visit me, considering it as perfectly optional between every member of either House and me whether any interchange of visits should take place between us or not. The rule which I have thought it best to adhere to for myself has also been pursued by my wife, with my approbation. She has never considered it incumbent upon her to visit first ladies coming to this place *strangers* to her. She could draw no line of discrimination of strangers whom she should and strangers whom she should not visit. To visit all, with the constantly-increasing resort of strangers here, would have been impossible. To have visited only the ladies of members of Congress would have been a distinction offensive to many other ladies of equal respectability. It would have applied even to the married daughter of the President. The only principle of Mrs. Adams has been to avoid invidious distinctions; and the only way of avoiding them is to visit no lady as a stranger. She first visits her acquaintance according to the usual rules of private life, and receives or returns visits of all ladies, strangers, who pay visits to her. We are aware that this practice has given offence to some members of Congress and their ladies, and we very sincerely regret the result. We think, however, that the principle properly understood cannot be offensive. To visit all strangers or none appears to be the only alternative to do justice to all. Above all we wish it understood that, while we are happy to receive any respectable stranger who pleases to call upon us, we have no claim or pretension to claim it of any one.

It only remains for me to add that, after this frank exposition of what we have done, and of our only motives for the course

we have pursued, I am entirely disposed to conform to any other which you may have the goodness to advise.

With perfect respect, etc.

23d. Mr. Parrott, the Senator from New Hampshire, came with letters from two citizens of that State, owners of a vessel and cargo seized at New Orleans for having introduced into the United States two colored persons, slaves of passengers in the vessel, from Porto Rico. There was already in the office a memorial from the captain of the vessel. This case gives me occasion to reflect upon the character and result of our laws against the slave-trade.

Captain Rogers, of the steamship Savannah, brought me a letter of strong recommendation from Mr. Campbell, at St. Petersburg. This vessel is the first which ever traversed the ocean with steam machinery. Since last May she has been from Savannah to Liverpool, thence up the Baltic to St. Petersburg, after touching at Stockholm; back to Copenhagen, Elsineur, and Savannah, whence she has now come to this city. The owners sent her to Russia in the expectation that the Emperor would purchase her, but, having been disappointed in that hope, they have now sent her here to offer her to the Government of the United States, and Captain Rogers wishes to be employed in the navy. Mr. John Martin Baker came to ask for an appointment as one of the Agents to go to Africa to take care of the negroes.

The President called at the office and returned me the letter I had left with him. He said the observations it contained had undoubtedly great weight, and, as it principally concerned the members of the Senate, he thought it would be best that I should give a similar explanation to the Vice-President, and ask him to communicate it to the members of the Senate who have taken exception at my not paying them the first visit; that I should perhaps urge more particularly my own practice while I was a member of the Senate, and that I have never meant to assert any claim to first visits from any one. And he asked as a favor that I would omit the allusion to his daughter, Mrs. Hay. I shall do so, though Mrs. Hay herself has been one of the prin-

cipal causes of raising this senseless war of etiquette visiting. He told me that the person who had mentioned the subject to him was personally friendly to me, and that he had spoken of it because it had excited some feeling among the Senators, and because uses were made of it for political purposes, which he regretted to see. It was Mr. Edwards, the Senator from Illinois. I shall therefore write to the Vice-President, who arrived in the city last evening.

This is the second letter:

TO THE VICE-PRESIDENT OF THE UNITED STATES.

WASHINGTON, 29th December, 1819.

DEAR SIR:—

It has been suggested to me that some of the members of the Senate, entertaining the opinion that a formal visit in person or by card is due from each of the heads of the Executive Departments at the commencement of every session of Congress to every Senator upon his arrival at the seat of Government, have considered the omission on my part to pay such visits as the withholding from them of a proper mark of respect, or even as implying a pretension to exact such a formality from them. Disclaiming every such pretension and every such claim on my part, I take the liberty of submitting to you the following explanation of the motives which have governed my conduct in relation to this subject.

I have invariably considered the Government of the United States as a Government for the transaction of business, and that no ceremonial for the mode or order of interchanging visits between the persons belonging to the respective Departments in it had ever been established. I was myself five years a member of the Senate, and at four of the five sessions of Congress which I attended I was accompanied by my wife. During that time I never once received a first visit from any one of the heads of Departments, nor did my wife ever receive a first visit from any one of their ladies, except perhaps once, when she was sick, from Mrs. Madison. We always called upon them soon after our arrival at Washington, not from any opinion that

it was an obligation of duty, but because we understood and believed it to be usual, and because we did not think it improper. We made an exception after the first session with regard to Mr. Gallatin, who, never having returned my first visit, was supposed not to incline to that sort of intercourse with us.

When I came to this place to reside, two years since, I was under the impression that the usages with regard to visiting were as I had known and practised them ten years before; that as a member of the Administration I had no sort of claim to a first visit from any member of either House of Congress, but that neither had any member of Congress any claim to a first visit from me; that the interchange and order of visits were entirely optional on both sides, and that no rule of etiquette existed which required that either party should pay the first visit, or indeed any visit, to the other.

In the course of the winter of 1817–18, two members of the Senate, for both of whom I have the highest respect, and with one of whom I had had the pleasure of sitting several years in the Senate, called on me at my office and informed me that there was a minute of a rule agreed upon, not officially, but privately, by the members of the Senate of the first Congress, that the Senators of the United States paid the first visit to no person except the President of the United States. I observed to them that as during five years' service as a Senator I had never seen or heard of this rule, I could hardly consider it as ever having been much observed; that I could, however, have no possible objection to the Senators prescribing any rule to *themselves* of visiting which they might think proper. But I asked them if they understood the rule as implying an order that *other persons* should first visit them. They answered, if I recollect right, By no means; and I supposed they viewed the whole affair as I did, as of little or no importance. I have therefore paid no visits of form to members of the Senate, and though always [ready] to receive and return visits of those who pleased to call upon me, and happy to invite to my house every member of the Senate, whether he had or had not paid me a visit, who would give me the honor of his company, I yet always respected the motives of those who declined paying me any visit, or even

frequenting my house at all. I exacted nothing from them which they might think incompatible with their dignity. I presumed they would exact nothing from me not within the line of my special duty. I soon learnt that if I should make it a rule to pay the first visit to every Senator at each session, the same compliment would be claimed, if not by all, at least by a large proportion of the House of Representatives; and I could find no republican principle which would in my own mind justify me in refusing to the members of one House that which I should yield as due to the members of another. At the commencement of each session of Congress I have visited the presiding member of each House, not from a sense of obligation, but of propriety. I have not felt it my duty to pay first visits to any individual member of either House. Nor has it entered my imagination that a first visit was *due* from any member of either House to me.

If there is a body of men upon earth for whom more than for any other I ought to cherish any feelings of attachment, superadded to every sentiment of reverence, it is the Senate of the United States. Its importance and dignity as one of the branches of the legislature, as one of the component parts of the Supreme Executive, and as the tribunal of official honor and virtue, cannot be more highly estimated by any man than by me. My father had the honor of being the first presiding officer. I had for five years that of being one of its members, and through every successive administration of the Government, from the establishment of the National Constitution to this time, I have received frequent tokens of its confidence, which can never be obliterated from my memory, and claiming all my gratitude. For every individual member of the body I feel all the respect due to his public character, and there is not one member towards whom I entertain a sentiment other than that of regard and esteem. If, therefore, the principle upon which I have omitted to pay first visits of form should ultimately fail of meeting their approbation, it will be serious matter of regret to me, but at all events I hope they will impute it to any other cause than intentional disrespect to them.

I take this occasion of observing that, with my approbation

and advice, my wife has acted upon the same principle with regard to the ladies connected with members of the Senate or House of Representatives, who have visited the place during the sessions of Congress, that I have pursued in relation to the members themselves. She has paid no first visits to ladies with whom she had not the advantage of being acquainted. She has received with pleasure and returned the visits of all ladies who have called upon her, whether connected with members of Congress or otherwise. She has visited her friends and acquaintance on the usual footing of private citizens, without pretension to claim, and without being sensible of any obligation to pay, any first visit. She would have paid with much pleasure the compliment to ladies of members of Congress, had it been proper in her opinion to confine it to them. But she was aware that many other ladies, equally strangers to her, and, though not immediately allied to members of Congress, of character and standing in society equally respectable, occasionally come to spend some time in the city, and, knowing it to be impossible that she should visit them all, she declined the invidious task of discriminating whom she should and whom she should not visit first. If in observing this rule she has deviated from the practice of some other ladies in situations similar to her own, she has conformed to that which she constantly observed when she was herself the wife of a Senator at the seat of Government. She then always called upon the ladies of the heads of Departments when she came to Washington, and always understood it to be the common practice. She lays no claim, however, to the same attention from any other lady, and, having no pretension to visits of etiquette herself, thinks herself amenable to none from others. She has invited to her house, without waiting for formal visits, every lady of a member of Congress to whom she had not reason to believe such an invitation would be unwelcome; and, while feeling it as a favor from those who have accepted her invitations, she has only regretted the more rigorous etiquette of those who have declined, inasmuch as it bereft her of the happiness which she would have derived from a more successful cultivation of their acquaintance. She would regret still more the error which should in any instance attribute her

conduct to a pretension of any kind on her part, or to disregard of what is due to her from others.

I have thought this candid explanation of the motives of my conduct particularly due to those members of the Senate who, it has been intimated to me, have thought there was something exceptionable in it. I submit it to your indulgence and to their candor, with the sincere and earnest assurance of my perfect respect for yourself and for them.

23d. I dined with Mr. Sanford at his lodgings, at Tennison's Hotel, with a company of fifteen or sixteen members of Congress. Walking home with Governor Edwards, I spoke to him of the etiquette question, but, meeting immediately afterwards my carriage, I parted from him without having a full explanation.

25th. Called at Mr. Washington's, on the Capitol Hill, and returned the visit of Mr. Erwin, member of the House of Representatives from South Carolina. I met there Mr. Gaillard, one of the Senators from the same State, and one of the men of etiquette. He and Mr. Brown, of Louisiana, have declined invitations to dine with us next Thursday, without assigning any reason, but in fact because I had not previously paid them visits of form.

I dined at Mr. Poletica's with a company altogether diplomatic, excepting Commodore Decatur. All the members of the foreign Legations were there, excepting young Stoughton, whose only brother was killed last Monday, in one of the streets of New York, by a man named Goodwin, one of the Baltimore gang of pirates, against whom he had been concerned in a prosecution at law. The dinner at Poletica's was splendid, and, like most of the company, in full dress. He asked me to toast the Emperor Alexander, which I did, adding, "In his life may the prosperity of the future equal the glory of the past!" It was drunk standing: in champagne. After which Poletica gave in the same manner, "The President—and may his future career be as honorable as it has been hitherto!" which he afterwards added he was perfectly assured it would be. He gave as a third toast, hinting to me that it was a toast which he could not decently avoid, "The allied sovereigns of Europe."

27th. Mr. Mark Langdon Hill, a representative in Congress from Maine, and a member of the Committee of Commerce, called this morning at my house to enquire concerning the papers relative to the late negotiation with Great Britain upon the commercial intercourse between the United States and the British Colonies in the West Indies and in North America. I had directed that all the papers should be sent to the Committee. Mr. Hill appeared to incline to a total prohibition of intercourse with the British Colonies, and he showed me letters from Mr. William King and William Gray, of Boston, expressing the same opinion. He was very desirous of knowing what were the views of the Executive Government on this subject, and I promised to mention it to the President. I had much conversation with Mr. Hill upon various topics, particularly upon our commercial relations with Russia and the political transactions while I was there. He also showed me a letter from Mr. Jefferson to the late John Langdon, of New Hampshire, written in the year 1810, full of his political Shandyism, a mixture of profound and sagacious observation, with strong prejudices and irritated passions. It is a sort of epitome of his political opinions and feelings. Jefferson is one of the great men whom this country has produced, one of the men who has contributed largely to the formation of our national character—to much that is good and to not a little that is evil in our sentiments and manners. His Declaration of Independence is an abridged Alcoran of political doctrine, laying open the first foundations of civil society; but he does not appear to have been aware that it also laid open a precipice into which the slave-holding planters of his country sooner or later must fall. With the Declaration of Independence on their lips, and the merciless scourge of slavery in their hands, a more flagrant image of human inconsistency can scarcely be conceived than one of our Southern slave-holding republicans. Jefferson has been himself all his life a slave-holder, but he has published opinions so blasting to the very existence of slavery, that, however creditable they may be to his candor and humanity, they speak not much for his prudence or his forecast as a Virginian planter. The seeds of the Declaration of Independence are

yet maturing. The harvest will be what West, the painter, calls the terrible sublime.

The Vice-President, Tompkins, called and returned my visit. I spoke to him on the affair of etiquette visiting, and told him I should write him a private letter concerning it, and should request him to show it to the members of the Senate, which he said he would. He observed that Mr. Thompson, the Secretary of the Navy, had spoken of it to him, that he thought our principle was correct, but that some of the Southern members, and especially Mr. Brown, of Louisiana, and Mr. Gaillard, of South Carolina, were peculiarly tenacious of the claim to a first visit. And the principle upon which they rested their claim was, that the Senate being by their concurrence to appointments a component part of the Supreme Executive, therefore Senators ought to be first visited by heads of Departments.

I said I thought the conclusion not logical, and if it was, it would require that Senators at home should visit every member of the Legislatures by which they were chosen, a practice which certainly existed nowhere.

He said it would apply still more strongly to the members of the Council of Appointment in New York, who not only voted on appointments, but had a right of *nominating* concurrent with the Governor. He says the same question of the first visit is made with these Senators by members of the House of Representatives, and that there are many members of the House with whom Mr. Brown will not associate, because they refuse to pay him a first visit. So that this question of etiquette visiting is becoming quite an affair of state.

31st. I called at the President's with several papers, for his directions, and to apologize for not having attended yesterday at the Cabinet meeting, owing to the snow-storm and my rheumatic symptoms. The President mentioned several unpleasant disorderly occurrences at the drawing-rooms, and appeared to regret that he had not laid them aside altogether. One was of a clerk in the Navy Department named Sherburne, who, having really no right to attend the drawing-room, had not only come himself, but brought another person still more improper with him, who had abused and ill treated the servants in the house.

Another was an insolent attempt of an English servant of Antrobus's to force his way into the hall of entrance. Of these paltry untoward incidents there will always be more or less where large parties of company assemble. I rather dissuaded the President from making any new regulations to exclude any one from the drawing-rooms, but advised him, if it should be found necessary, to employ one or two constables to keep order in the yard.

*January* 1st, 1820.—I attended at the Treasury Office a meeting of the Commissioners of the Sinking Fund, which Mr. Crawford had appointed at two o'clock. Mr. Wirt also attended; but the Vice-President, being otherwise engaged, did not come. Mr. Crawford had a question started by the house of Le Roy, Bayard and Co., at New York, who fancy that Congress have unawares entrapped themselves into an obligation to pay off at par the three per cent. stocks of the United States, from the proceeds of the Western lands, immediately after the old six per cent. and deferred stock shall have been all discharged. After taking the opinion of a lawyer, David A. Ogden, to this effect, they made a large speculation in the stock, which has raised it from sixty-four to seventy-two per cent., thinking that they have discovered a pledge for its redemption at par within a very few weeks, but of which neither Congress nor any other holder of Union stocks seems to be aware. This supposed trap is in the Act of Congress of 4th August, 1790; the first law by which the debts of the United States were funded under the present Constitution. The wording of the fifth and twenty-second sections of the law gives some countenance to this pretension, but it has never been so understood either by Congress or by the holders of the stock, and it is surely not now for sharping speculators to come and trump up a claim never thought of by the original parties to the bargain. Mr. Wirt, however, took the papers to consider the question more in form as a lawyer. A Mr. John Jay Boyd is the agent of the house which now raises this pretension, which I should incline to dispose of in a very summary manner.

The President again fixed on next Monday, at one o'clock, for a Cabinet meeting to consider the question of the intercourse with the British Colonies.

2d. After church was over, I called at Mr. Calhoun's, to give him notice of the meeting at the President's at one o'clock to-morrow. I had also an hour of conversation with him upon various topics of great public interest, in which we were interrupted by his being called to dinner. There are several subjects upon which the public mind in this country is taking a turn which alarms me greatly for the continuance of this Union—the bank; the currency; the internal improvement question; the extension or repression of slavery; the conflicting ambition of the great States of New York and Virginia, and the workings of individual ambition, mingling with all these controversial topics. It seems to me that we are at the eve of a great crisis, of which scarcely any one is yet aware.

3d. At one o'clock I attended a Cabinet meeting at the President's. All the members of the Administration were there. The question was discussed what should be communicated to the Committee of Commerce as the opinion of the Executive concerning further prohibitions upon the commercial intercourse with the British Colonies in America. It was concluded to recommend prohibition both of the intercourse and of the importation of articles the produce of the British Colonies. Mr. Calhoun pleaded hard for the exception of plaster of Paris, as quite necessary to carry the remainder of the prohibition into effect by assent of the House of Representatives. The discussion was exceedingly languid, and no one appeared to take any interest in it. The final conclusion was to recommend additional prohibition generally, but to leave the extent of it entirely to the discretion of the Committee.

The question concerning our affairs with Spain appears to be much more agitated among the members of Congress. Wirt says they will do nothing; that the proposition in the message to carry the treaty into execution, as if it had been ratified, is producing a very great fermentation in the House of Representatives, and is very much censured. The objection is, that there is no precedent for it. Wirt himself made that objection at the time when the message was preparing, and it is a natural County Court objection. The Barbours are taking it up in both Houses, and, as it is apparently now the interest and the policy

of all the intriguers that the treaty should not be ratified nor Florida taken possession of, it is quite apparent that nothing will be done. The real motives operating to produce this effect will be altogether different from those disclosed. There will be a difficulty in resuming the negotiation with Spain without disgracing the country in its own eyes and in those of other nations. But the real interests of the nation will not be otherwise much affected by it. For this, and deeper mortifications, it behooves me to have my mind prepared. I mentioned that Lowndes had told me the Missouri question might ultimately affect the vote on Spanish concerns, and I found the observation worked not kindly. The Missouri question thrills in every Southern nerve. It is yet in a state of chaos in my mind.

6th. The President called at the office and spoke of various subjects of public business—particularly of the instructions to the Agents who are going to reside on the coast of Africa, to receive the negroes who are to be sent there from the United States. The President asked if I had any objection that the instructions should be given by the Secretary of the Navy, to which I answered, None in the world. I was satisfied to be relieved from the duty of giving any such instructions. I have no opinion of the operation of the Act of Congress. I believe the power which has been assumed under it is not warranted by it, but, as Congress have had fair warning of the construction given to it by the Executive, if they do not provide the remedy their tacit sanction will authorize it. There is so much management in this affair, that I have no doubt much money will be expended to no useful purpose.

8th. I had a conversation of at least two hours with the President, in which I partly opened to him the anxiety which has long been laboring upon my mind. He said that the two Senators from Georgia had been with him yesterday, and had freely consulted with him on the state of affairs with Spain, and the affair of the Florida Treaty. As members from Georgia, they were apprehensive that their State would become impatient if nothing should be done, and they came to discuss the various measures which are projected in Congress. The predominant disposition in that body is to do nothing upon this

subject, and this disposition will certainly prevail. Nothing will be done. But, as this will not exactly suit the temper of the people, the object of the opposition is to appear to stimulate Congress to something else than what was recommended by the President. I have, ever since the question arose upon the ratification of the Florida Treaty, indistinctly foreseen that it would come to this result. A little more intense thought would have drawn the deduction as irresistible from a few very simple principles. Congress will do nothing, because to do anything they must assume the responsibility of consequences; because they must incur at least the hazard of a war—taxation upon the people—and, after all, the Executive would get the principal credit of all that Congress would do. One of the most remarkable features of what I am witnessing every day is a perpetual struggle in both Houses of Congress to control the Executive—to make it dependent upon and subservient to them. They are continually attempting to encroach upon the powers and authorities of the President. As the old line of demarkation between parties has been broken down, personal has taken the place of principled opposition. The personal friends of the President in the House are neither so numerous, nor so active, nor so able as his opponents. Crawford's personal friends, instead of befriending the Administration, operate as powerfully as they can, without exposing or avowing their motives against it. Every act and thought of Crawford looks to the next Presidency. All his springs of action work not upon the present, but upon the future, and yet his path in the Department is now beset with thorns, from which he shrinks, and which I think he will not ward off with success. In short, as the first Presidential term of Mr. Monroe's Administration has hitherto been the period of the greatest national tranquillity enjoyed by this nation at any portion of its history, so it appears to me scarcely avoidable that the second term will be among the most stormy and violent. I told him this day that I thought the difficulties before him were thickening and becoming hourly more and more formidable. In our foreign relations, we stood upon terms with England as favorable as can ever be expected, but with a state of things dissatisfactory

for the present, and problematical for the future, with regard to our commercial intercourse with her American Colonies. With France our situation was much less pleasing and more unpromising. She is pressing absurd claims, and refusing satisfaction for the most just and unequivocal claims on our part. She is screwing down upon us the most unequal and burdensome navigation laws, and leaves unanswered repeated and urgent proposals for a commercial negotiation. Our affairs with Spain are such that the Administration has lost all the credit and strength which it would have derived from the Florida Treaty; and, although no immediate danger from that quarter is to be apprehended, the Government is injured by the failure of Congress to adopt the measures recommended by the Executive, and it will be scarcely possible, without a disposal of Providence, over which we have no control, and which we have no right to expect, to come out of that controversy without loss of national character. With the Netherlands, Naples, Sweden, and Denmark, we have claims for indemnity or restitution, which there is no prospect of obtaining; with Portugal we have angry discussions upon claims against us, which we cannot admit, but for which too much cause has been given; and although we have done more than any other nation for the South Americans, they are discontented because we have not espoused their cause in arms, and, with empty professions of friendship, they have no real sympathy with us.

A prospect thus dark and unpropitious abroad is far more gloomy and threatening when we turn our eyes homeward. The bank, the national currency, the stagnation of commerce, the depression of manufactures, the restless turbulence and jealousies and insubordination of the State Legislatures, the Missouri slave question, the deficiencies of the revenue to be supplied, the rankling passions and ambitious projects of individuals, mingling with everything, presented a prospect of the future which I freely acknowledged was to me appalling. I asked him whether these apprehensions were visionary, and, if not, whether he had contemplated any distinct system of measures to be in preparation for the embarrassments which it was obvious to foresee as inevitable at no distant day.

He said that, as to the Missouri question, he apprehended no great danger from that. He believed a compromise would be found and agreed to, which would be satisfactory to all parties.

I did not enquire further, though I was much surprised at this remark. All the public appearances are directly the reverse; and either there is an underplot in operation upon this subject, of which I had no suspicion, or the President has a very inadequate idea of the real state of that controversy, or he assumed an air of tranquillity concerning it in which there was more caution than candor, more reserve than sincerity. With respect to the bank, he said no man had a more convincing experience of its absolute necessity than he had during the late war, when he had been obliged to borrow money on his own responsibility wherever he could obtain it, and which at one place was at one stage of depreciation, and another at another. And as to the Constitutional objections, Mr. Madison and Mr. Jefferson himself had considered them as settled by twenty years of practice and acquiescence under the first bank.

I said that the existence or continuance of the bank appeared to me to be a matter of perfect indifference to the stockholders, and, indeed, if I were one of them I should incline to petition Congress to take back their charter and restore to the proprietors their capital; but it was my firm belief that this Union could not hold together while every State exercised an unlimited power of making paper money under the pretence of incorporating banks, unless the General Government, by such a bank substantially under its control, and always regulating the national currency, by preserving specie payments inviolate, could preserve the obligations of contracts and give security to property against the frauds of paper swindling. I also believed that the present deadly struggle in so many of the States, with all the lumbering machinery of State Legislatures, was nothing more or less than a combined effort of State bank interests and of desperate debtors thirsting for a paper sponge to wipe off their debts, and that the very process of purgation against which they so convulsively heaved was the only effectual remedy for the disorders of the currency.

He said he was entirely of the same opinion.

I asked him whether any plan was matured for meeting the deficiency in the revenue announced in the annual report on the finances by the Secretary of the Treasury, and which deficiency I apprehended would turn out to be larger than he had estimated.

He said he did not know; that Mr. Crawford, conformably to a practice which had been observed from the time when Mr. Hamilton was Secretary of the Treasury, had made the annual report without showing it to him, and he did not know what Mr. Crawford's views for supplying the deficiency were.

I was much surprised to hear that reports so important to the whole system of the Administration as the annual exposition of the state of the finances should be made to Congress without being first even shown to the President. I thought it altogether inconsistent with the spirit of the Constitution, and that the practice ought immediately to be changed. Now, this report of Crawford, after indicating the supposed deficiency, skulks from a specific recommendation of a remedy, for it mentions three or four without marking a preference for either. The President said we had ample resources for covering the deficiency, to which I readily assented. But the necessity was, and I apprehended the difficulty would be, to fix upon that particular resource upon which we are to rely. For the principle of opposition tactics is, when they agree with the Administration as to the end, to differ from them as to the means; and, as there is a choice of means, it behooves the Administration to select that which they may think the best, and be prepared to support it by their friends in Congress, where it will be difficult enough to get any one through, and where that which they press will for that very reason be encountered by all the bickerings of systematic opposition. I added that I thought the best and easiest mode of providing for the deficiency of the current year was to suspend the purchases of the sinking fund.

He said that was his own opinion, but General Smith, of Maryland, Chairman of the Committee of Ways and Means, had been to him this morning and told him he had made yesterday a motion to that effect in the House, which had been

rejected, because the members entertained the opinion that the deficiency might be covered by retrenchment of expenses, and thought the retrenchment would be lost if the means of covering the deficiency should be granted from the sinking fund.

I said I thought the project of retrenchment to the amount of the deficiency would prove fallacious, or, if carried into effect, would be more injurious to the public than the saving of the money could do them good. But while these plans were afloat, it became still more essential to the Administration to have some plan of its own to meet the exigency of the case; for if the drain upon the revenue should remain unprovided for until it should come to press upon the detail of current business, it would injure the character of the Administration and the credit of the country more than a deficiency of ten times the amount of that now to be provided for could do.

The President desired me to look into the law requiring these reports from the Secretary of the Treasury to Congress, which he said he would also do; and if it should warrant the measure, he would have a consultation with the members of the Administration to advise upon what it may be proper to do. He said it had always struck him that this practice of reporting by the Secretary of the Treasury directly to Congress, without communication with the President, was wrong, and the occasion upon which he was first informed of it was itself an instance of its bad effects. It was a report made by Mr. Gallatin just at the commencement of the late war with England—a report the tendency of which was exceedingly unfavorable to the measures then contemplated by Mr. Madison. He himself had been so much surprised upon first reading it, that he immediately enquired of Mr. Madison how it had been permitted to appear; he answered that it had been equally unexpected and displeasing to him, but that he had not seen it before it was presented to the House, and that, from the practice having originated with General Hamilton, it was supposed that there were considerations of delicacy for its being withheld from the President until after having been presented to Congress.

I said I could see no reason for such delicacy, but numerous motives for every such paper being submitted to the President

before it goes to Congress. He also told me that Mr. Holmes, a member of the Committee of Foreign Relations, had been to him and told him that Mr. Lowndes, the Chairman, had drafted and presented to the Committee a report disapproving the measure recommended by the President of giving him a discretionary authority to take possession of Florida, and proposing a postponement of any measures for the present. It was objected to this report that, if presented to the House, by showing a disagreement with the Executive, it would weaken his hands in any negotiation with the Minister who may come from Spain; and upon this consideration it was determined not to report for the present at all.

I told the President I thought it quite immaterial whether they reported against the measure recommended in the message, or did not report at all. The game was up in either case. We should neither have the treaty ratified nor Florida, for the present. The treaty was gone forever, but the ground upon which we stand is safe. Some convulsion may take place in Spain, upon which we may be obliged to occupy Florida, and more may be ultimately secured to the country; but all the benefit which was hoped from it for the Administration is lost.

Spent the evening with all the family at the French Minister Hyde de Neuville's. It was a dancing-party. Clay and Trimble both drew me into conversation upon the Florida Treaty—Trimble to show his profound sagacity, and Clay to entrap me, if he could, into some unguarded speech which he might hereafter turn against me in debate at the House.

10th. The Missouri question has taken such hold of my feelings and imagination that, finding my ideas connected with it very numerous, but confused for want of arrangement, I have within these few days begun to commit them to paper loosely as they arise in my mind. There are views of the subject which have not yet been taken by any of the speakers or writers by whom it has been discussed—views which the time has not yet arrived for presenting to the public, but which in all probability it will be necessary to present hereafter. I take it for granted that the present question is a mere preamble—a title-page to a great tragic volume. I have hitherto reserved my

opinions upon it, as it has been obviously proper for me to do. The time may, and I think will, come when it will be my duty equally clear to give my opinion, and it is even now proper for me to begin the preparation of myself for that emergency. The President thinks this question will be winked away by a compromise. But so do not I. Much am I mistaken if it is not destined to survive his political and individual life and mine.

13th. Mr. Thomas Newton, a member of the House of Representatives from Virginia, and Chairman of the Committee of Commerce, came to my house this morning with the draft of a bill, which the Committee have agreed to report, prohibiting the commercial intercourse with the British Colonies in the West Indies and North America. He gave it to me to read, and left it with me for such remarks or suggestions of alterations as the Executive might wish to propose. After freely conversing with Mr. Newton concerning it, I took it to Mr. Crawford, the Secretary of the Treasury, and afterwards to the President, who keeps it till to-morrow. I had some conversation with the President upon the aspect of affairs in Congress, and upon the last dispatch from Forsyth, with which the President is much dissatisfied.

14th. At the office, Mr. William Lee came to talk about William D. Robinson, and the important secrets which he has, and is willing to communicate to the Government. Robinson himself has written me a quire of paper upon it. But as he is essentially an adventurer, and I have no confidence in him, I have been, and continue, cold and reserved in all my communications with him. He tells great secrets about the projects of General Devereux, a greater adventurer than himself, who is filling all the newspapers of England, Ireland, and the United States with his fame. As I have not been at all captivated by Mr. Robinson's profound mysteries, nor shown any appetite for the bait he has held out, I spoke of him and his revelations to Lee with so little respect that he at last told me that he supposed Robinson to be an agent of Devereux. I then told him that I should always be ready and willing to receive any communication from Mr. Robinson that he might think proper to make, but if he was an agent of Devereux, the first communication I

had a right to expect from him was that, if he wished me to give any heed to the rest; and I authorized Lee to tell him so. The President sent me a note directing a meeting of the members of the Administration at twelve o'clock, on the draft of the British Colony Trade bill.

15th. There was a Cabinet meeting at the President's, from noon till three o'clock, attended by all the members of the Administration. The draft of the bill by Mr. Newton, the Chairman of the Committee of Commerce, for interdicting the trade with the British Colonies, was examined and discussed. There was some diversity of opinion with regard to the extent which should be given to the prohibition—Mr. Crawford and Mr. Calhoun inclining to leave it in the option of the British Government to open, if they choose, free ports to American vessels in their West India Islands, and Mr. Wirt expressing doubts whether any additional prohibition ought to be laid. Some amendments were also suggested to several other sections of the bill. In the fifth section of the draft there is a reference to the eighty-first section of the Collection Law of 2d March, 1799, but, as the whole of that section could not be applied, I proposed that a section containing its principal provisions should be drawn, and modified so as to be introduced into this bill itself, and Crawford to prepare a draft of such a section in concert with me. There is not much interest taken in this subject.

I had prepared a draft of a letter to A. Gallatin, giving the President's consent to his return to the United States next summer, according to a request in the last dispatch received from him. But the President thought the request itself was so equivocal an indication of Gallatin's real wish, that he supposed its object was to obtain from the President a request that he would remain another year in France. On examination of the letter it was agreed that it did not expressly warrant this conclusion, yet the letter does open an avenue to such a request. I told the President that if he thought it would bear this exposition, there were ample reasons of a public nature for requesting Mr. Gallatin to stay a year longer. I observed that our commercial relations with France were in a very unpleas-

ant and unpromising condition; that Congress were even now called upon to take defensive measures against the French tariff of duties, which was throwing the carriage of all our trade with France into French vessels; that France declined a general commercial negotiation, while she earnestly pressed for a Convention upon some special points, such as Consular privileges and deserting seamen; that no person in the United States could supply the place of Mr. Gallatin as a suitable negotiator upon commercial articles.

To all this the assent was general, and the President directed me to write to him and request him to stay another year. But Crawford declared a strong aversion to any Act of Congress affecting our commercial relations with France at present. He had not seen Mr. Gallatin's late dispatches, urging the necessity of some such Act, nor the memorial of the Chamber of Commerce at New York.

The President, to my no small surprise, directed me to write to Mr. Middleton and offer him the mission to Russia, and also to write to Mr. Forsyth and give him leave to come home upon a leave of absence, with discretion to leave T. L. L. Brent there as Chargé d'Affaires. He is very much dissatisfied with Forsyth's correspondence with the Spanish Ministers, and seemed inclined to pass some positive censure upon it, concluding, however, at last, that it would be sufficient to give him leave to come home, and then take care not to let him go there again.

After I returned to the office, the Russian Minister, Mr. Poletica, called there with a packet of dispatches for the Russian Ambassador at Paris. He told me he had given a full account in that dispatch of the Missouri or slave question, which is beginning to shake this Union to its foundations. Poletica seems already to have taken his side, for he said he considered it a question whether this country should hereafter be a Colony or an independent power. I entered not, however, into conversation with him upon the subject.

16th. In my walk for exercise before dinner, I paid several visits, and called upon Mr. Lowndes, with whom I had a long conversation upon public affairs. I told him the President

wished that the instructions to the late Commodore Perry should be communicated to him, but thought there might be some inconvenience in making them public, which they must be if given to Congress, or even to the Committee. Lowndes said that in that case it would perhaps be better that he should not see them, because it would be difficult to use any information contained in them in debate, without giving rise to suspicions and to allusions, which would rather counteract than promote the views of the Administration.

We had also much conversation upon the Missouri or slave question. Lowndes, who is from South Carolina, and a large slave-holder, is of course on the slavery side of the question, which there is now every appearance will be carried by the superior ability of the slavery party—for thus much is certain, that if institutions are to be judged by their results in the composition of the councils of this Union, the slave-holders are much more ably represented than the simple freemen. With the exception of Rufus King, there is not in either House of Congress a member from the free States able to cope in powers of the mind with William Pinkney or James Barbour. In the House of Representatives, the freemen have none to contend on equal terms either with John Randolph or Clay. Another misfortune to the free party is, that some of their ablest men are either on this question with their adversaries or lukewarm in the cause. The slave men have indeed a deeper immediate stake in the issue than the partisans of freedom, their passions and interests are more profoundly agitated, and they have stronger impulses to active energy than their antagonists, whose only individual interest in this case arises from its bearing on the balance of political power between North and South. Lowndes is a member of great weight and influence in the House, which he has acquired and maintains as much by the urbanity of his manners as by his talents. He is a man of easy fortune and entire independence, and the winter before last declined the offer of a mission either to Russia or to Constantinople. Yet, with various acquirements, and a character of perfect integrity, there is a want of energy and of activity in his mind. He has too much love of ease and aversion to

labor. As to the Committee of Foreign Relations, Clay, the Speaker, who appoints all the Committees, selected that one with a view to prevent anything's being done congenial to the views of the Administration.

18th. Colonel Richard M. Johnson, a Senator from Kentucky, called at my office, and told me that the President had referred him to me upon certain proposals made by Billy Duane, who was a very foolish and unaccountable fellow, who might have made twenty fortunes, but, having always been the worst enemy to himself that lived, was now poor and embarrassed, and involved in a lawsuit with the Government, and had written him two letters containing projects in which he should be glad to assist him. His first project was, that understanding this Government were about to furnish ten thousand stands of arms to the South Americans of Venezuela, Duane would be glad to have the agency of selling them, for which an allowance of five or six per cent. should be made to him by way of commission. The other was, that he (Duane) should be sent as Agent for the Government to Venezuela and New Granada.

I told Colonel Johnson that, from the virulence with which Duane in his Aurora was incessantly pouring upon me the most violent and groundless abuse, I thought it necessary, as preliminary to answering his proposals, to say that I retained no resentment against him whatever, and should be ready and willing to render him any service in my power. What the President's feelings were I could not say, but I knew nothing of any intention on his part to furnish arms to the South Americans, or to send for the present an Agent to Venezuela or New Granada.

The Colonel said he would send me Duane's two letters to him. He said he thought he had been in some respects ill used by the Government. He was now sued for a balance of seven thousand dollars due by him as a Quartermaster in the army. He had found a receipt from his successor for three thousand dollars of the money, and if he knew anything about the way of keeping accounts he would be able to show that he had also paid all the remainder of the balance.

I called at the President's and reported to him what Colonel

Johnson had said. The President said that Colonel Johnson might have been more worthily occupied than in becoming the medium of such proposals; that the project of furnishing ten thousand stands of arms to Venezuela for the sake of making a profitable job to Duane had something in it that was disgusting; and that it was to be secretly done made it worse. If we were to furnish arms to the South Americans, it should be done openly in the face of day. As to sending Duane as an Agent to South America, he had no confidence in him, and believed him to be as unprincipled a fellow as lived. There was not, and had not been for years, a day passed but his newspaper had been filled with abuse and slander upon the Administration; and if such a man should be sent off as a public Agent it would give a general disgust to the people of this country, who would universally consider it as buying off his opposition. He was not worth buying. His abuse was a recommendation. His own relations with Duane had been few. After his (Mr. Monroe's) return from France, he had published the account of his mission, and employed Duane to print it. He had taken a sufficient number of copies of it to pay for the publication—paid six hundred dollars for those copies, and left the rest with Duane to account for the disposal of them; and he took the Aurora, to be reckoned in part payment. Duane supplied him with his paper, and at the end of six years sent him a bill for one hundred dollars for newspapers. This bill he had paid rather than have a controversy with him; but he had been in employment under almost every Department of the Government, and always gave dissatisfaction. His accounts as Quartermaster had remained for years unsettled, and if there had been anything wrong in the War Department with him, it had been in the forbearance to sue him for the balance due, too long. This Duane is an Irish adventurer, bred for a Roman Catholic priest, but who, after some years of turbulence in his own country, and then in India, finally settled here, and has been nearly twenty-five years editor of the Aurora, the most slanderous newspaper in the United States. But as his industry is indefatigable, and as he writes with facility, his editorial articles are interesting, and he has often had much influence,

especially in the State of Pennsylvania. He is now poor, and growing old, and his present proposal is substantially to sell his silence. The President offers nothing for it but his contempt.

19th. I called at Mr. Crawford's office with the draft of the bill prepared by Mr. Newton, Chairman of the Committee of Commerce, and asked him to make a draft of a section instead of the third. I also spoke to him of the necessity of taking countervailing commercial measures with France, to which he is much averse.

20th. Morning visits from a Mr. and Mrs. Long, and Mr. and Mrs. Mix, of Georgetown. We had no acquaintance with them. But it is becoming a fashion that everybody should visit or be visited by public officers. There was indeed a claim forming itself that the heads of Departments should be, ex officio, bound to pay first visits to all mankind, and it has become on my part an aggravated offence that I have not conformed to this rule. As, however, I have not submitted to it, there are numbers who yield so far as to pay the visit, which of course is to be returned. And about one-fourth part of my time is absorbed in the round of receiving and returning visits. I received a letter from William D. Lewis, at Philadelphia, mentioning that Leavitt Harris had brought an action against him for defamation, and that a rule of Court would issue to take my deposition in the cause. And he requests me to state in my deposition all the circumstances which I had related to him in the conversation which I had with him at my house. This is a very unpleasant affair, from which I had hoped to have been forever relieved. May I be enabled, when called upon, to discharge my duty to all parties!

21st. The President, in his opening message at the commencement of the session of Congress, recommended that certain ports should be specially designated by law as those into which only public and private foreign armed vessels should be admitted—the object of which is to suppress the Baltimore pirates. He requested yesterday that the heads of Departments should meet together and agree upon the ports to be designated. We therefore agreed yesterday to meet this morning at eleven o'clock at Mr. Crawford's office, and I was there

at the time, but Mr. Calhoun and Mr. Thompson had been there, and were already gone, attracted by the fascination of Mr. Pinkney's eloquence. He this day commenced in the Senate his much-expected speech in support of slavery, on what is called the Missouri question. Mrs. Adams and my sons went and heard Pinkney's speech, which was greatly admired by those whose interests it supported, but which somewhat disappointed them.

22d. The meeting which was to have been held yesterday was adjourned to this day at noon, to be either at Mr. Calhoun's or at Mr. Thompson's office. I went at the appointed time to both, and the meeting was finally assembled at Mr. Thompson's. All the heads of Departments were present, and we agreed upon a list of ports to which it should be proposed that foreign armed vessels should be limited for admission. After returning to my office, Dr. Morse and the Vice-President, Mr. Tompkins, called successively upon me. Dr. Morse has been appointed by a Scotch Missionary Society to some agency for civilizing the Indians, and has in view particularly the Cherokees. He was desirous of obtaining the co-operation of the Government, and had already had an interview with Mr. Calhoun, the Secretary of War, on the subject. He told me it was his intention to close his pastoral connection with his parish at Charlestown next May, and to devote his time in future to this Indian agency and to literary labors, among which was that of completing a History of the United States, begun by Dr. Trumbull, of Connecticut, and of which one volume has been published. He said it was a history written with particular reference to the special providences which have befallen this country. He requested to have access, as far as might be proper, to the archives in the Department of State, which I promised him he should have. In speaking of Indian affairs, he told me that he had particularly noted the discussion of the rights of Indians to territorial possessions, in my oration delivered at Plymouth the 22d December, 1802. I told him the same question had been more fully debated on a more important occasion, namely, at the negotiation of Ghent, and referred him to the notes in which it was controverted, which are published in Wait's col-

lection of state papers. Dr. Morse appears to be in a very indifferent state of health. He says his intention is to reside in future at New Haven.

The Vice-President told me he was going to New York, and proposed to leave the city next Tuesday. He came to say that the Senators to whom he had shown my letter all disclaimed any pretension to claim a first visit from me, but that they had supposed it was a claim I had set up of receiving it from them. The fact is, that those Senators who have set up the pretension are ashamed of avowing it, and yet are too proud to renounce it. So ashamed are they of it, that Gaillard and William Smith, who came to me two years ago to give me formal notice that Senators visited first no person but the President of the United States, now say that they came to speak to me about some Consul, and that they *think* I spoke first to them about the affair of etiquette. Mr. Brown, of Louisiana, does not claim a first visit as a Senator, but as a stranger, and Mrs. Brown, his wife, claims it because Mrs. Crawford and Mrs. Calhoun pay first visits to the wives of all members of Congress who come to Washington. They regret exceedingly that they cannot have the pleasure of being acquainted with us, and would accept of anything for it, such as a mere card sent by a servant. I told Mr. Tompkins that I had sent a card of invitation to Mr. Brown, which he had declined accepting; that as to sending mere cards of visit to him as a stranger, I could not do it without giving all other strangers the right to claim the same thing. As to the practice of Mrs. Crawford and Mrs. Calhoun, of complimenting the wives of members of Congress and withholding the same attention from others, I knew that often gave offence, and I thought it best, if offence must be given, that it should at least be by avoiding invidious discriminations.

24th. I walked with R. M. Johnson to the Senate-chamber, and heard Mr. Pinkney close his Missouri speech. There was a great crowd of auditors. Many ladies, among whom several seated on the floor of the Senate. His eloquence was said to be less overpowering than it had been last Friday. His language is good, his fluency without interruption or hesitation, his manner impressive, but his argument weak, from the inhe-

rent weakness of his cause. After he closed, Mr. Otis declared his determination to speak to-morrow on the subject. The Senators went into executive conclave, and all strangers withdrew. I went into the hall of the House of Representatives, and heard debates there upon a specific appropriation bill, and upon a motion to postpone a bill authorizing the people of the Missouri Territory to form a State Constitution. There was some sharp debating, and the question was decided by yeas and nays; against postponement, eighty-eight to eighty-seven.

25th. Dined at Mr. Calhoun's with a company of twenty members of Congress, heads of Departments, and others. General Brown, and the officers who accompany him, were there. While we were at dinner, Mr. Crawford, the Secretary of the Treasury, asked me if I had seen a publication addressed to me in the City Gazette, of Charleston, South Carolina, signed "Sagittariûs." I had not seen it. He said that it represented my reputation as a statesman as depending entirely upon the ratification of the Florida Treaty, and that I had prevented the ratification by insisting upon a new article, in the form of a declaration, which Mr. Forsyth was instructed to deliver on exchanging the ratifications. It seemed to me as if Crawford's motive was to throw me off my guard and provoke me to say something which might expose me to the derision of the company. I might have turned the laugh upon him, by saying that "Sagittarius" must think the Florida Treaty as bad a concern for me as Crawford's Indian marriages had proved to him. But I avoided all retort, and only said, "Then 'Sagittarius' admits the treaty to be a good one?" "Oh, yes," said Crawford. "But that," said I, "seems to be much of a question now." The topic then passed off.

26th. Mr. Worthington called again this morning, and I informed him that the President had directed the allowance of his travelling expenses in South America. He then enquired whether he had determined upon his proposal to be further employed. I said he had not. He told me that he was happy to have it in his power to assure me that the confidence of his countrymen in him was in no wise impaired since his return to

the United States; that the Legislature of Maryland had very recently elected him President of their Executive Council, which office he had declined. It was on my tongue's end to tell him I wished he had accepted it, but I forbore.

Crawford, who had sent me this morning the Charleston City Gazette, containing the article signed "Sagittarius," which he had promised me yesterday, told me this evening that there had been a pencilled paper sent to him with it, marked "Supposed to be written by Judge Johnson." I have no doubt Crawford told me this upon the expectation that it would be told me by others. Judge Johnson at the last Presidential elections canvassed with great ardor in favor of Crawford and against Monroe. He has been warmly canvassing for Crawford since, and, making himself so constantly busy with that view, is suspected, I hope without reason, of having written this piece, which is an insidious and artful attack upon my character as a statesman. It is so manifestly the policy of a partisan of Crawford to decry me, that this piece, which seems to have no other object, was very naturally imputed to one of his friends. It is cool, malignant, and cunning. I told Crawford that I supposed it to be written not by Judge Johnson, but by an agent of the Duke of Alagon.

He said that some of the facts stated in it had been reported to him as coming from the Duke's agent some time since, but he doubted whether this was written by him, though he agreed in opinion with me that it was not by Judge Johnson.

27th. Mr. Ruggles, a Senator from the State of Ohio, called upon me this morning with an application to the President for a pardon for a man imprisoned in that State by sentence of a United States Court. Ruggles told me that of the representation of Ohio in the present Congress there were two natives of Connecticut, two of New York, two of Pennsylvania, and two of Virginia—not yet one native of the State itself. It is little more than twenty-five years since the settlement of the State began, and it has now, by a State census taken last summer, one hundred thousand free white males over the age of twenty-one years. Dr. Morse called at my office, and I had some further conversation with him upon his Indian

mission and his projected history of special providences in North America.

I called at the President's, and told him of Worthington's inclination to be employed again. He does not at present think it would be conducive to the public service. He gave me back W. Duane's two letters to Colonel R. M. Johnson. He said the project of making a job for Duane to pocket a percentage upon a surreptitious sale of arms to the South Americans was unworthy and dishonorable, but General Mason, avowedly for a South American agent, had applied to the Secretary at War to know if there were any public arms for sale, and it happened there was a report from the proper office that there are between three and four thousand stands of arms which it may be advisable to sell. But, the President added, he thought it would be more honorable to sell the arms at public auction than by an underhanded sale to the patriots. He said, further, that as to Duane's complaints against him in the letters, there was no foundation for them. The services of which he boasted were nothing but twenty years of perpetual abuse upon the best men in the country, by which he had run himself so entirely out of credit that to be reviled by him was a certificate of good character. His appointment to any office of confidence would give general disgust, and he was, besides, so egregiously the dupe of his own prejudices and passions that he could not safely be trusted. If Colonel Johnson, however, was willing that the letters should be shown to the other members of the Administration, he would take their opinion upon them.

Major Jackson had declined going to Chili, and he had thought of offering the mission to the United States District Judge of the Southern District of New York, W. P. Van Ness, though he did not know whether he would accept it. I observed that there were two Agents wanted, one for Venezuela and one for Buenos Ayres, to take the place of Mr. Prevost, who wishes to return to Chili. I said if there was any Western man, particularly from Kentucky, suitable for such an employment, it would be very desirable that such an appointment should be made. The President mentioned Mr. Todd, son to the Judge of the Supreme Court, and who married a daughter of Governor

Shelby, and proposed to me to see the Kentucky Senators and consult them upon it. I asked him whether Colonel Johnson would not feel himself rather delicately and awkwardly situated to give advice on that point while he was charged with this negotiation in behalf of Duane. He said that was true. I asked him whether any of the members of the House of Representatives from Kentucky might be consulted. He said there was not one of them but would be wanting the place himself. Judge Logan might be spoken to with all confidence, and Colonel Johnson, unless he was trammelled with this project of Duane's. Perhaps it may be best to wait till Judge Todd himself shall be here, which he must be at the session of the Supreme Court next month.

29th. Mr. Dana, member of the Senate from Connecticut, called at the office and spoke of the letter of instructions to the late Commodore Perry on his political mission last summer to South America. Dana told me that he thought it the best thing I had ever written, and suggested that the way to bring it out would be to stimulate some of the opponents of the Administration to call for it, so as to appear to let it out with reluctance. Dana has been upwards of twenty years, without interruption, a member of Congress, and understands well the art of political management in legislative bodies. He is a man of very cheerful humor, pleasantry, and wit, of very considerable talents and eloquence, but uniformly a high-toned federalist, and, that party having now lost the ascendency in his State, he has no prospect of re-election after the expiration of his term of service, which will be in March next year. He has many valuable qualities, but is too much addicted to flattery, and has too much of that winding-stair quality, cunning, of which this proposal, to get a motion from the enemy to bring out a paper which is the best vindication against him, is a sample. Of this species of management I am so totally destitute that I could not practise it if I would.

*February* 1st. Mrs. Adams had this evening her usual weekly tea-party, which was attended by about fifty persons. Among the company were Mr. J. S. Skinner, the Postmaster at Baltimore, and his wife. He is a man of mingled character, of

daring and pernicious principles, of restless and rash temper, and yet of useful and honorable enterprise. Ruffian, patriot, and philanthropist are so blended in him that I cannot appreciate him without a mingled sentiment of detestation and esteem. I consider him as the originator and cause of all the Baltimore piracies which have injured and still dishonor this nation. He has infected not only that city, but the moral feelings of this whole community and the public councils of the country, to such a degree as to stay the hand of justice itself. He has embroiled us with two foreign nations whose good will it is most important to us to possess. He has been now nearly two years under indictment for being concerned in the Baltimore piracies, and has contrived to get his father-in-law appointed the Judge to decide upon them. Yet his private character is such that he has numerous and very ardent friends. He made to the Government, at a critical period, important disclosures concerning McGregor and his Amelia Island buccaneering expedition, and he has been during the last year editor of a weekly newspaper called The American Farmer, devoted altogether to agricultural improvements, and which is a very valuable publication.

3d. I received on the 29th of last month a letter from the French Minister, Hyde de Neuville—a letter upon the Baltimore pirates, written in a tone I could not stomach, containing a threat, in general and ambiguous terms, that, if we should not very soon take measures effectually to suppress them, France would authorize search by her naval officers of suspected vessels sailing from our ports. I took it yesterday to the President, who was much incensed at it, and I read to him the draft of a letter to him that I had made, asking an explanation of the passage containing the threat. The President approved it, but requested me to show it, and also De Neuville's letter, to the other members of the Administration. I took them this morning to Mr. Crawford at his office. Crawford thought there were other passages of De Neuville's letter that ought to be noticed and resented, but ultimately approved my draft, which I then sent to Mr. Calhoun to read and pass to the other heads of Departments.

4th. Mr. Sanford, one of the Senators from New York, was here. His colleague, Mr. R. King, came and passed a couple of hours with me at my office. He has been returned again to the Senate by the Legislature of New York in a manner which is unparalleled in this Union. The choice ought regularly to have been made this time last winter; but there were three parties in the Legislature, of which that in favor of Mr. King was the smallest. Governor Clinton's influence was all exerted against him, and the Republican opposition to Clinton had a candidate of their own. When the next House of Assembly were chosen, last May, it turned out that the federalists had gained ground which Clinton's party had lost. He therefore, to maintain himself, found it indispensably necessary to conciliate the federalists, and, besides appointing several of them to important offices in the State, he changed his policy towards Mr. King, to such a degree that in his speech to the New York Legislature he recommended King to their choice, not indeed by name, but designating him in terms not to be mistaken. The Republican opposition took also the same direction, and King, who, after ten trials last winter, could not get so many as twenty votes out of one hundred and fifty, now came in by a unanimous vote of the Senate, and by all but three in the House of Assembly. Shortly before the meeting of Congress, he published, at the request of a Missouri question meeting at New York, the substance of his two speeches last winter in the Senate on that bill, which was then lost by the disagreement between the two Houses on the restricting clause. This publication has largely contributed to kindle the flame now raging throughout the Union on that question, and which threatens its dissolution. King is strongly affected and agitated by it. Whether he sees the consequences in their full extent, and has made up his mind to promote them, even to the separation of the Union, I am not sure; but my own opinion is, that no man ought to take an active part in that discussion without being first prepared for that and reconciled to it, because it must end in that.

5th. This was the day of the annual meeting of the Commissioners of the Sinking Fund; and the meeting was held at

eleven o'clock, at one of the committee-rooms of the Senate at the Capitol. The President of the Senate, Mr. Gaillard, the Secretary of the Treasury, Crawford, and the Attorney-General, Wirt, were present, but Chief-Justice Marshall was absent at Baltimore, where his son was married on Thursday evening to Miss Alexander. The yearly report of the Commissioners was read and signed, but the question which has been lately raised by some of the holders of three per cent. stock, who claim by law payment of their stock at par from the proceeds of the sales of public lands, was postponed to another meeting, at which the opinion of the Chief Justice might be obtained. The business of the meeting was soon transacted, and it adjourned.

After being half an hour in the Senate-chamber, where I found Brown, of Louisiana, and Gaillard were for taking Texas, I went into the hall of the House of Representatives, where they were in the heat of the Missouri debate. Daniel P. Cook was speaking in favor of the restriction, and was followed by Mr. Hemphill, of Philadelphia, on the same side. After he had spoken about an hour, and before he had finished, the House adjourned. Walking to my office, Mr. Henry Meigs, member of the House from New York, told me that he had offered this morning several resolutions, with a view to appropriate the proceeds of the public lands to the emancipation of the slaves throughout the Union. This, I suppose, is to serve him as an apology to his constituents for voting against the restriction.

9th. I called at the President's, and met Crawford there. The President is much dissatisfied with the proceedings of Mr. Forsyth at Madrid, and directed a meeting of the members of the Administration at his house at one o'clock to-morrow to consider of the answer to be given to Mr. Hyde de Neuville the French Minister's letter of 29th January, on the Baltimore piracies. After the letter and my answer had been seen by all the members of the Administration, the President thought, upon further reflection, that it would be better for me to see De Neuville and suggest to him verbally the objectionable character of some passages in his letter, which he thought would induce him

to take it back. As the relation of De Neuville with us has been of a very friendly character, and as he was induced at the President's request to remain here this winter, after he had actually engaged his passage to France on a leave of absence, the President was very unwilling to assume with him a tone of asperity. This is at once mild and considerate.

In the evening I attended with Mrs. Adams the drawing-room at the President's. I had conversation there with F. Walker, a Senator from Georgia, about Forsyth's dispatches, and with R. M. Johnson, of Kentucky, about Duane's letters. Walker has introduced into the Senate a resolution calling upon the President for further information relating to the negotiation with Spain. I told him that the dispatches received from Forsyth and his notes to the Spanish Minister of State had not given satisfaction to the President, and he thought they would, if published, give great dissatisfaction to the country and mortification to Forsyth's friends. He had therefore directed that they should be shown to the Senators from Georgia, suggesting to them the consideration whether it would not be most advisable to forbear pressing the call for papers, which could only be complied with by making them public.

Walker said that although Forsyth was one of the most intimate friends he had in the world, he could not possibly approve that part of his diplomatic correspondence which had been made public; that he would readily follow the course recommended by the President—he would call at the Department of State and read the dispatches, and would not call up his resolution for the present.

Mr. Poletica, the Russian Minister, was also very inquisitive concerning the dispatches last received from Forsyth, and told me he had received himself letters mentioning that he was on the point of leaving Madrid. I did not, however, think it proper to be communicative with him on this occasion, just at this time, nor to ask him to be more explicit.

I told Col. R. M. Johnson what the President had said of Duane's letters and proposals, and asked him if he was willing that the letters should be shown to the other heads of Departments. Johnson said he should be willing if there was reason

to suppose the advice they should give after the perusal would change the President's present opinion and induce him to comply with Duane's wishes. I told him I could not answer for the operation of the letters upon other men's minds, but I had no reason to suppose they would think differently from the President on this subject, or advise him to a different course from that which he had determined to adopt. Johnson said if that was the case he did not wish that the other heads of Departments should see the letters, but he would call at my house and take them back. I mentioned to him the President's idea of employing Judge Todd's son upon the Agency to Venezuela, which he much approved.

10th. Attended the Cabinet meeting at the President's at one o'clock. The Secretaries of the Treasury, War, and Navy were there; the Attorney-General, Wirt, absent. The question was, what should be done with the French Minister Hyde de Neuville's letter of 29th January. It was unanimously concluded most expedient that I should see and converse with him upon it. As to the part which contains a menace of measures to be taken by France, as I was satisfied he had no authority from his Government for using it, I was persuaded he would, upon being asked what he meant by it, explain it away. But I asked what I should say to the other part of his letter, which was a request that the Attorney-General of the United States should be employed to manage a prosecution of Chace, the captain of one of the Baltimore pirate privateers, for robberies and outrages committed against certain French vessels and property. There was a question whether it could be required of the Attorney-General as a part of his official duty, and agreed that it could not. The necessity for supplementary aid to the prosecution was inferred from what was stated to be the notorious incompetency of the District Attorney, Glenn, for the office of Public Prosecutor. Crawford was very decided and somewhat earnest for his removal, but there was found to be great difficulty in fixing upon a person more competent and willing to accept the office for his successor. It would indeed be a very invidious act to remove him upon such grounds, and the idea was soon given up. The question about employing

the Attorney-General rests upon the mode of compensating him for the service, there being no fund appropriated for it. He was actually employed in one of the Portuguese cases last winter, and obtained for it, by direction of the President, a fee of fifteen hundred dollars. It was paid partly from a fund at the disposal of the Treasury Department, and the rest from the contingent fund for foreign intercourse. But some of the members of the House of Representatives, having heard of it, made it the subject of a formal enquiry, upon which a committee is at this time occupied. The President and all the members of the Administration were of opinion that it would be proper to employ the Attorney-General to assist in the prosecution, and that his fee might be paid from the contingent fund for foreign intercourse, unless there should be some vote of disapprobation in Congress upon the application of part of the fund to a similar payment before. I was directed, therefore, to say to Mr. De Neuville that if the Attorney-General could, without inconvenience, be employed, he would be, but that no promise to that effect could be given.

Something was said about Forsyth's dispatches, and I was directed to write to him immediately, giving him permission to return to the United States. The President was inclined to do more, and to express his positive disapprobation of Forsyth's conduct and of the style of his official notes at Madrid. I thought it would be sufficient to recall him without any mark of approbation of his conduct; and although it is impossible to justify the style that he has used, and still less the determination which he took of his own head to leave Spain without instructions from his Government, yet great allowances were to be made for the provocation under which he had acted.

Crawford said he regretted that some disapprobation had not been made known to Forsyth when the first of his offensive notes had been communicated here.

The object of this remark was to transfer the blame of Forsyth's conduct to me; but I took no notice of it. Forsyth was appointed to that mission by Crawford's influence, strongly against my inclination. He had neither the experience, nor the prudence, nor the sincerity, nor the delicacy of sentiment suited

for such a station. But it suited Crawford's views that Forsyth should be pushed forward, and he was so.

Calhoun said that Forsyth's diplomatic notes were exactly like his speeches in Congress—ironical; that he gave more personal offence to his opponents by indulging himself in that style than any other member with whom he ever sat in a deliberative assembly. Now, the great faults of Forsyth at Madrid have been indiscretion and indecorum, faults quite sufficient to show that he was not qualified for the office of a public Minister on a highly critical mission, but which ought not to be severely punished by those who appointed him, knowing his character. The meeting broke up about four o'clock, and I sent a note to the French Minister requesting him to call at my office at one to-morrow.

11th. I went up to the Capitol and heard Mr. King in the Senate, upon what is called the Missouri question. He had been speaking perhaps an hour before I went in, and I heard him about an hour. His manner is dignified, grave, earnest, but not rapid or vehement. There was nothing new in his argument, but he unravelled with ingenious and subtle analysis many of the sophistical tissues of the slave-holders. He laid down the position of the natural liberty of man, and its incompatibility with slavery in any shape. He also questioned the Constitutional right of the President and Senate to make the Louisiana Treaty; but he did not dwell upon those points, nor draw the consequences from them which I should think important in speaking to that subject. He spoke, however, with great power, and the great slave-holders in the House gnawed their lips and clenched their fists as they heard him.

The Senate adjourned to Monday immediately after he finished, and I went into the House of Representatives, where I found R. C. Anderson, of Kentucky, speaking upon the same subject, but on the other side of the question. He speaks with fluency, as do almost all the members of Congress. This facility is one of the greatest impediments to our legislation. In the British Parliament there are about ten or twelve Ministerial speakers, and as many on the opposition side, who perform almost all the debating part of deliberation. There are

never more than two or three long speeches on each side, and the question is always taken before the House adjourns. Here, a single question is sometimes debated three weeks, and members make speeches three days long.

After the adjournment I went to my office, where Mr. Hyde de Neuville, the French Minister, came, according to appointment, at four o'clock. I had only the translation of his letter of 29th January, and asked him for an explanation of those passages which threatened certain measures to be taken by France unless the Baltimore piracies should be effectually suppressed by ourselves.

He disclaimed any intention of threatening at all, and, as invariably happens when men attempt to maintain by argument that which they have said or written without consideration, he was obliged to prevaricate in order to explain away his own meaning. He spoke no more of what France had *deferred* to do from motives of confidence in us, but must do unless we should, and that soon, make it unnecessary, but of his private opinion that she ought to do it; and the thing was no more a general search of suspected or signalized vessels under our flag, but merely instructions to her naval officers, such as we had given to those of our sloops of war.

I told him that, as it had the appearance of a menace, I had been under the necessity of asking an explanation, and had at first put that request in writing. But, as this would necessarily have led to a discussion, which it might also have been necessary to make public, the President had thought it best I should see him and ask the explanation verbally. I had sent all his former communications on the Baltimore piracies to the Committee of the House of Representatives on Foreign Relations, who had that subject before them, and they had been most earnestly urged to propose to Congress a revisal of the law, and other measures to suppress that abomination, but I had not sent them this last letter, because it would certainly have had with them a counteracting tendency, and their first question would have been, what answer had been given to it. As I had always transacted business with him rather on terms of individual friendship than in diplomatic formality, I wished him to

let me send him back this note rather than enter into a written correspondence to explain it.

He was exceedingly unwilling to do either, and asked a day or two for reflection; to which I assented. He said it was derogatory to the character of a Minister to take back a note once sent; that on returning home he would re-examine his note, and would give me any explanation of it to show that he intended no menace by it; that, as I had sent his other notes on the subject to the Committee, he was satisfied; and that if the commanders of French vessels of war were authorized to do as much and no more than our own officers had been instructed to do for the suppression of the slave-trade, that, though useful, might be attended with inconveniences and abuses. He asked if the Attorney-General would be directed to manage the prosecutions at Baltimore against the piracies committed upon French vessels.

I told him that would depend upon circumstances; intimated to him the objection that had been made to the employment of him in similar cases before, and said that in the event of the entire removal of that objection the President would readily engage him to attend in the French cases at Baltimore.

We attended an evening party at Mr. Calhoun's, and heard of nothing but the Missouri question and Mr. King's speeches. The slave-holders cannot hear of them without being seized with cramps. They call them seditious and inflammatory, when their greatest real defect is their timidity. Never since human sentiments and human conduct were influenced by human speech was there a theme for eloquence like the free side of this question now before the Congress of this Union. By what fatality does it happen that all the most eloquent orators of the body are on its slavish side? There is a great mass of cool judgment and plain sense on the side of freedom and humanity, but the ardent spirits and passions are on the side of oppression. Oh, if but one man could arise with a genius capable of comprehending, a heart capable of supporting, and an utterance capable of communicating those eternal truths that belong to this question, to lay bare in all its nakedness that outrage upon the goodness of God, human slavery,

now is the time, and this is the occasion, upon which such a man would perform the duties of an angel upon earth!

13th. Attended the divine service at the Capitol, and heard Mr. Edward Everett, the Professor of the Greek language at Harvard University, a young man of shining talents and of illustrious promise. His text was from 1 Cor. vii. 29: "Brethren, the time is short;" and it was without comparison the most splendid composition as a sermon that I ever heard delivered. He had preached it last Sunday evening, where my sons had heard him, and George had written to me that it was the finest sermon he had ever heard, and foretelling that he would preach it again here. Hackneyed as this subject, the shortness of time, is, I never before saw so forcibly exemplified the truth that nothing is stale or trite in the hands of genius. His composition is more rich, more varied, more copious, more magnificent, than was that of Buckminster. There were passages that reminded me perhaps too much of Massillon, but the whole sermon was equal to any of the best that Massillon ever wrote. It abounded in splendid imagery, in deep pathos, in cutting satire, in profound reflections of morals, in coruscations of wit, in thunderbolts of feeling. His manner of speaking was slow, and his articulation distinct, perhaps to excess. There was some want of simplicity both in the matter and manner. A still greater defect was a want of unity in his subject. He gave as one sermon a cento of extracts from two or more. There was a description of the destructive operations of time, absolutely terrific—and a portrait of the blessings and future glories of this country, wrought up like a work of enchantment. The house was full, but not crowded. The New England hearers were rapt in enthusiasm. Mr. King told me he had never heard anything like it. The Southern auditors approved more coolly. Mr. Clay, with whom I walked, after the service, to call upon Chief-Justice Marshall, told me that although Everett had a fine fancy and a chaste style of composition, his manner was too theatrical, and he liked Mr. Holley's manner better.

Clay started, however, immediately to the Missouri question, yet in debate before both Houses of Congress, and, alluding to a strange scene at Richmond, Virginia, last Wednesday even-

ing, said it was a shocking thing to think of, but he had not a doubt that within five years from this time the Union would be divided into three distinct confederacies. I did not incline to discuss the subject with him. We found Judges Livingston and Story with the Chief Justice. I came home for a moment, after meeting successively, in the Avenue, John Sergeant and Ingersoll. Mr. Otis had invited me to go and dine with him at Crawford's, in Georgetown, and I walked there. Mr. King, Judge Story, Mr. Everett, and Mr. Webster, of Boston, formed the party, with Mrs. Otis, who is in deep mourning for a daughter whom she has lost since she has now been here. The party was quite social, and the Missouri subject was very freely canvassed. King has made a desperate plunge into it, and has thrown his last stake upon the card. It agitates him accordingly with deep and vehement emotion. He has, however, great self-control, cool judgment, and spirit-breaking experience. There was difference enough of opinion between us to occasion much, though no angry, discussion.

16th. Colonel R. M. Johnson came, and I returned to him Duane's two letters. The Colonel was uneasy at being under the necessity of returning a negative answer to both Duane's applications, and asked whether he might not hold out to him an expectation of being employed hereafter, if an opening should present itself for an Agency in Mexico. I told him I thought it would be most candid with Duane to hold out no expectation to him whatever. The same objection against him now existing in the President's mind would probably continue to exist, namely, that the appointment to an office of considerable emolument and of high confidential trust, of the editor of a newspaper the daily columns of which had for years been filled with imputations of the grossest kind both upon the capacity and integrity of the President and every member of the Administration, would be generally disgusting to the public, who would take it as a mere buying up of an enemy. Duane talked of the President's obligations to him, which the President altogether denied. Duane would not pretend I was under obligations to him. I owed him neither love nor fear. But I should not stand in his way.

Johnson said Duane was a man of great information and considerable talents, but without judgment, a proof of which was in his complaints against the President in the very letter by which he was soliciting favors from him. He asked whether, if he should obtain recommendations of Duane from the two Senators from Pennsylvania, I thought they would influence the President in his favor. I said I could not tell—perhaps they might. At least I was sure the President would give all due consideration to any recommendation from the Pennsylvania Senators. How far it might be advisable to apply to the Pennsylvania Senators for their recommendation I was sure he would duly consider. I doubted whether they would give it. At least, two years ago, it was at the most earnest and vehement entreaty of the Pennsylvania Senators, and most particularly of Mr. Roberts, that the Aurora was dismissed from the publication of the United States laws. Roberts then reasoned the affair over both with the President and with me, and his principal argument was the indecency of continuing public patronage to a printer whose papers were teeming with the most wilful and malicious slander against the President, his Administration, and all its friends. Now, Duane having a daily newspaper to work with, and being in the constant habit of venting all his private resentments and all his splenetic humors in his paper against whoever displeases him, it might be no very agreeable thing to the Senators of Pennsylvania to be asked in his favor for that which they could neither honestly grant nor safely refuse—when compliance would only be to promote the views of a common defamer, and refusal would expose them to all his malevolence. Johnson said he should duly consider all this, and added that he had also been requested to recommend Dr. Thornton for a mission to South America, and Dr. Allison to succeed him as Superintendent of the Patent Office. Johnson is a man who can refuse no favor to any person. He would recommend ten persons for one and the same place, rather than say no to any one of them.

17th. Dr. Thornton came again to the office to re-urge his pretensions for appointment as Agent of the United States to Venezuela or any other part of South America. Of all the

official duties of my station, there is none that tries the temper so severely as that of conflicting with the stubborn perseverance of unsuccessful candidates for office. To persist in reiterated refusal without ever falling into harshness of manner is a labor more than herculean. An unprovokable temper is the first of qualities to be prayed for in the discharge of these duties. The Doctor will not receive this appointment, and this day came to insist upon his claims to it, to hint at the multitude of powerful friends who would intercede for him, among whom he expected would be many of the Senators, and to enquire what were the reasons why he should not be appointed. I told him that as he had always been a very ardent South American patriot, perhaps the President might think a person more cool would suit better for the impartial observation necessary to such an Agency. He thought that very strange, for in his opinion it was precisely that which made him peculiarly fit for the Agency.

20th. I called and visited R. Peters, Junr.; Captain Biddle, Cadwallader, and Hopkinson were not at home. I met there General Bloomfield, who, with many others, is much alarmed at the dissensions which have arisen in the nation and in Congress from the Missouri or slave question. The Territory of Missouri is a part of the Louisiana cession. At the session of Congress before the last a bill was introduced for enabling its inhabitants to form a State Constitution. There was then not time to pass the bill, which was referred over, and brought forward again at the last session. When it was under debate at the second meeting in committee of the whole, an amendment was proposed by General James Tallmadge, seconded by John W. Taylor, both members from the State of New York, making one of the conditions of the admission of Missouri that the further introduction of slavery should be prohibited, and that slaves hereafter born there shall be free at the age of twenty-five. This amendment excited a very angry debate, but was adopted by the House, disagreed to by the Senate, and, each House *adhering* to its views, the bill was lost between them.

When the amendment was first presented, its importance and consequences were certainly foreseen by no one, not even by

those who brought it forward. Its discussion disclosed a secret: it revealed the basis for a new organization of parties. Clay had been two years laboring, first upon South American patriotism and then upon the Seminole War, first in defiance of Crawford and then as a subaltern to him, to get up a new party. In both instances he had failed. But here was a new party ready formed, but of no pleasing aspect to either Clay or Crawford, terrible to the whole Union, but portentously terrible to the South—threatening in its progress the emancipation of all their slaves, threatening in its immediate effect that Southern domination which has swayed the Union for the last twenty years, and threatening that political ascendency of Virginia, upon which Clay and Crawford both had fastened their principal hopes of personal aggrandizement. The failure of the bill, and the attempt to exclude slavery from the future State of Missouri, produced great fermentation there and in the Southern States, but particularly in Virginia. North and East it excited less feeling, but Mr. King, who had taken a considerable part in the debate at the last session in Senate, in the course of the summer set on foot and organized a concert of measures which have resulted in the struggle which now shakes the Union to its centre. Bloomfield, though a member from New Jersey, took at the last session the Southern side of this question, and still adheres to it. But he says he received yesterday a letter from a very sober and respectable neighbor of his, who asks him whether a civil war would not be preferable to the extension of slavery beyond the Mississippi. This is a question between the rights of human nature and the Constitution of the United States. Probably both will suffer by the issue of the controversy.

23d. A. Livermore and W. Plumer, Junr., members of the House of Representatives from New Hampshire, called upon me, and, conversing on the Missouri slave question, which at this time agitates Congress and the nation, asked my opinion of the propriety of agreeing to a compromise. The division in Congress and the nation is nearly equal on both sides. The argument on the free side is, the moral and political duty of preventing the extension of slavery in the immense country

from the Mississippi River to the South Sea. The argument on the slave side is, that Congress have no power by the Constitution to prohibit slavery in any State, and, the zealots say, not in any Territory. The proposed compromise is to admit Missouri, and hereafter Arkansas, as States, without any restriction upon them regarding slavery, but to prohibit the future introduction of slaves in all Territories of the United States north of 36° 30′ latitude. I told these gentlemen that my opinion was, the question could be settled no otherwise than by a compromise. The regulation, exclusion, or abolition of slavery in the system of our Union is among the powers reserved to the people of the several States by their separate Governments, though I have no doubt that Congress have Constitutional powers to prohibit any internal traffic in slaves between one State and another. In the States where slavery does not exist, neither Congress, nor the State Legislature, nor the people have any rightful power to establish it. For the admission into the Union of a State where no slavery exists, Congress may prescribe as a condition that slavery shall never be established in it, as they have done to the States of Ohio, Indiana, and Illinois; but where it exists, and where there are already slaves in great numbers, as in Missouri and Arkansas, the power of extirpating it is not given to Congress by the Constitution. To proscribe slavery, therefore, in Missouri or Arkansas, I believe to be impracticable. But if a provision can be obtained excluding the introduction of slaves into future Territories, it will be a great and important point secured. I apprehend, however, that Livermore and Plumer did not concur with me in my opinion.

24th. I had some conversation with Calhoun on the slave question pending in Congress. He said he did not think it would produce a dissolution of the Union, but, if it should, the South would be from necessity compelled to form an alliance, offensive and defensive, with Great Britain.

I said that would be returning to the colonial state.

He said, yes, pretty much, but it would be forced upon them. I asked him whether he thought, if by the effect of this alliance, offensive and defensive, the population of the North should be cut off from its natural outlet upon the ocean, it would fall back

upon its rocks bound hand and foot, to starve, or whether it would not retain its powers of locomotion to move southward by land. Then, he said, they would find it necessary to make their communities all military. I pressed the conversation no further; but if the dissolution of the Union should result from the slave question, it is as obvious as anything that can be foreseen of futurity, that it must shortly afterwards be followed by the universal emancipation of the slaves. A more remote but perhaps not less certain consequence would be the extirpation of the African race on this continent, by the gradually bleaching process of intermixture, where the white portion is already so predominant, and by the destructive progress of emancipation, which, like all great religious and political reformations, is terrible in its means, though happy and glorious in its end. Slavery is the great and foul stain upon the North American Union, and it is a contemplation worthy of the most exalted soul whether its total abolition is or is not practicable: if practicable, by what means it may be effected, and if a choice of means be within the scope of the object, what means would accomplish it at the smallest cost of human sufferance. A dissolution, at least temporary, of the Union, as now constituted, would be certainly necessary, and the dissolution must be upon a point involving the question of slavery, and no other. The Union might then be reorganized on the fundamental principle of emancipation. This object is vast in its compass, awful in its prospects, sublime and beautiful in its issue. A life devoted to it would be nobly spent or sacrificed. This conversation with Calhoun led me into a momentous train of reflection. It also engaged me so much that I detained him at his office, insensibly to myself, till near five o'clock, an hour at least later than his dining-time.

26th. Attended a meeting of the Commissioners of the Sinking Fund at the Committee-room of the Senate at the Capitol. It was appointed at eleven o'clock, but it was twelve before Mr. Crawford made his appearance. Mr. Gaillard, President of the Senate, Chief-Justice Marshall, and the Attorney-General, Wirt, were present. The board, therefore, was full. Two subjects were presented for their consideration—one, the payment of

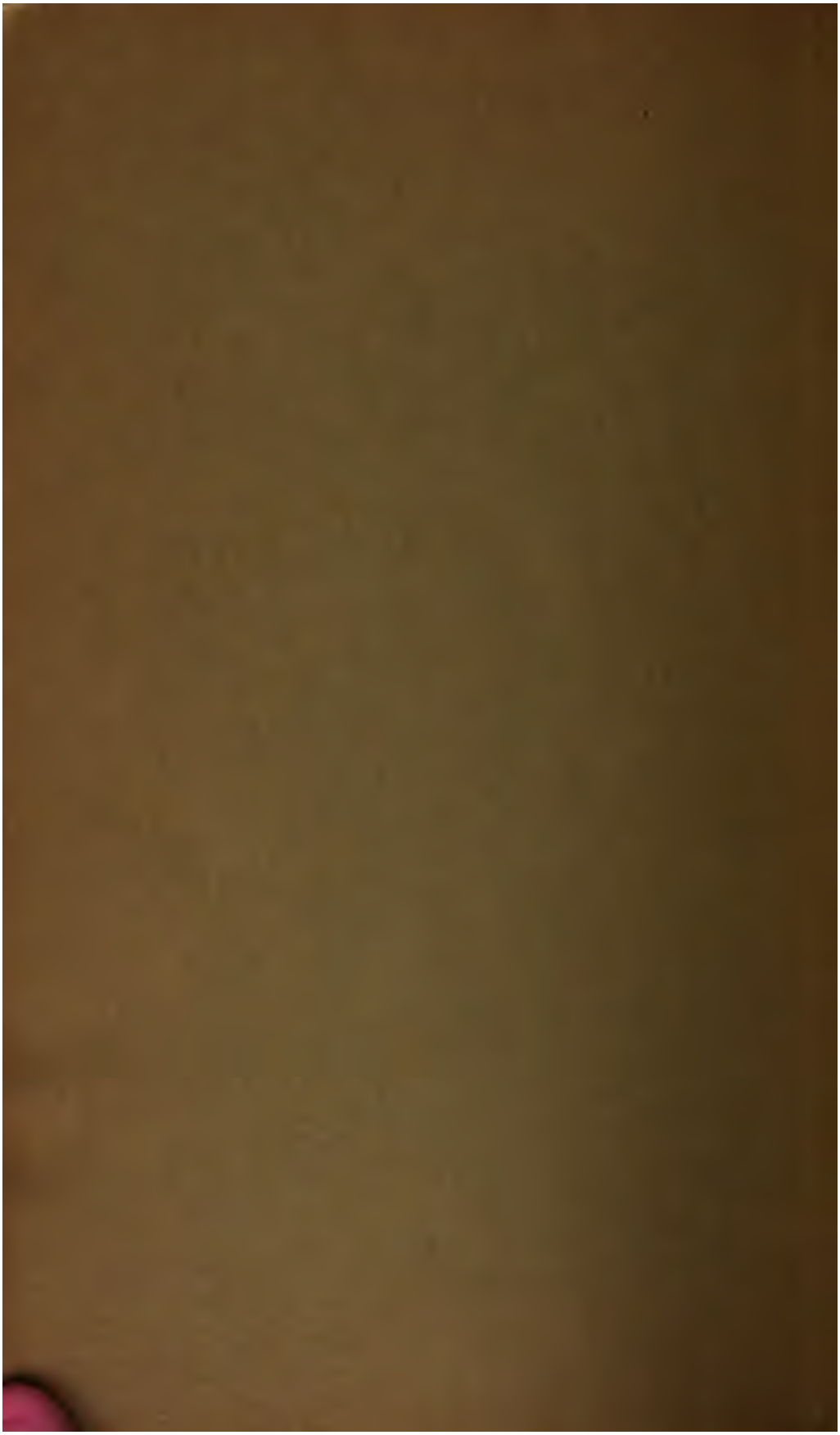
...ippi stock, and the other, the claim of ... three per cent. stock to its redemption ... From the statement of the Treasury De... it appeared that funds sufficient have been received ... discharge of two-thirds of the Mississippi stock, and the ... proposed by the Secretary of the Treasury, and adopted ... Board, was, that sixty-six per cent. of all the certificates ... that stock should be paid off in May next. There was some ... discussion of the question concerning the redemption of the ... per cent. stocks, and I came to the conclusion that the ... claim is in substance well founded, and that the public faith is ... unequivocally pledged for the redemption at par of the three ... cents, from the proceeds of the Northwestern lands. The ... however, is not yet arrived when the obligation takes ... and it may be perhaps protracted for many years. But ... suggested the question whether the Commissioners of the ... Sinking Fund had any authority to decide upon the claim at all, ... upon examination of the Acts of Congress defining their ... and circumscribing their powers, the Chief Justice ... definitely declared his opinion that it was not within our ... competency, and that the claimants must resort to Congress. ... meeting was over in half an hour.

... went into the hall where the Supreme Court of the ... States were in session. They were engaged in a prize ... of no considerable interest, and I soon passed into the ... of Representatives, where John Randolph was speaking ... case of the Missouri slave questions. I heard him between ... and four hours. His speech, as usual, had neither begin... middle, nor end. Egotism, Virginian aristocracy, slave... liberty, religion, literature, science, wit, fancy, gener... passions, and malignant passions constitute a chaos in his ... from which nothing orderly can ever flow. The House ... committee of the whole, Cobb, of Georgia, in the chair. ... Speaker, twice called Randolph to order. The Chair... pronounced him not in order. He disputed the call and the ... as long as he could, and then, as if yielding, said he ... another tack. It was useless to call him to order: he ... to keep order than he can keep silence. It was past

four when he sat down. Twenty yards of tape-worm had come from him, but there was an endless length left within. Beecher, of Ohio, began a speech after him, but soon gave way for a motion to adjourn.

27th. Called upon Mr. R. King at his lodgings at Crawford's Hotel, Georgetown. Found him still absorbed in the Missouri slave question, upon which he has been the great champion of freedom and the Northern interest. The partisans of slavery have spread abroad the idea that he has been actuated in this affair by motives of personal ambition—that he is making an effort to get up a new division of parties and to put himself at the head of half the Union, despairing of ever being able to obtain the highest powers and honors of the whole. It is not easy to account for the course that King has pursued throughout this affair without allowing something for the instigations of personal expectancy. He has probably been pushed forward eagerly by his friends, and he has been spurred into more violent exertions, and has opened his heart to warmer hopes, on this occasion, than I think the event will justify. He reckons more upon the apparent ardor of the popular sentiment against slavery to the North than it is worth. The question to the North and in the free States is merely speculative. The people do not feel it in their persons or their purses. On the slave side it comes home to the feelings and interests of every man in the community. Hence, if this question is ultimately decided, as it will be, in favor of slavery in Missouri, the people in the free States will immediately acquiesce in the decision, and it will be impossible to keep the controversy alive. King, however, indulges hopes that it may survive the present question.

END OF VOL. IV.



APR 27 1933

LENOX LIBRARY

Bancroft Collection.
Purchased